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—145—

Action of Damages for Libel.

JURY COURT, EDINBURGH, WEDNESDAY, JULY 10, 1822.

LORD A. HAMILTON v. D. STEVENSON.

This cause came before the Court this day, upon a notice of motion for expenses, the Jury having lately found for the pursuer in all the issues.

The notice being read,

MR. HENRY COCKBURN. It was unnecessary for him to state the merits of the action. The Jury having found a verdict for the pursuer, in all the issues, as damages reparation for the attack on his character, he now moved for expenses.

MR. M'NEILL, for the defendant, opposed the motion. He contended that it was discretionary in the Court to give expenses or not, as they saw fit. The action did not conclude solely for reparation of injury to the pursuer's character; it concluded also for a large sum of damages, no less than £5000, and the Jury had only found the pursuer had sustained damage to the amount of one shilling. Had the pursuer claimed reparation only for the actual damage he had thus been found by the verdict of the Jury to have sustained, his client would have been entitled to get out of the action for payment of the sum found due by the verdict. If the action had been brought solely for reparation of injury to character, it was not competent in this court, but in the Commissionary Court only. His client, Mr. Stevenson, had been willing to make what reparation he could to the pursuer, and had offered a reference to respectable Counsel to dictate what apology he should make, but the offer had been rejected by the pursuer, who had sought his remedy in a court of law, and a respectable Jury had given him only one shilling of damages. The action had been laid for real damages, and the Jury had found a verdict of nominal damages. This was not a case in which expenses should be given.

MR. JEFFERY admitted that expenses did not follow as a matter of course, where only one shilling for damages was given by the verdict of a Jury. In all cases there was a discretionary power vested in the Judges of this Court; and even where only one shilling of damages was given, the Court might justly award to the party full expenses. Here the party were at issue on the true criterion of the case. Now, was this an action which the pursuer was entitled to bring? or was it the reverse? Was it brought on frivolous and capious pretences; and did it conclude for imaginary damages and not for reparation of a real and substantial injury? The Court would recollect the jury had found for the pursuer on all the issues. The pursuer did not complain of intemperate language merely, as an unfair commentary on his public conduct, but he complained of a wilful misrepresentation and *false statement of facts*; not of an excess in language, in discussing a public question, but of a series of imputations against the character and conduct of the pursuer, which were totally false, but which the defendant had offered to prove in his defence to be true, and which he had entirely failed in doing; not only so, but they had actually been completely disproved by the pursuer. On what ground, therefore, could the defendant resist the present motion for costs? Substantially on this, that the Jury had given a smaller sum of damages than his client had claimed. But the

Court were not tied up by that verdict in the exercise of their discretion as to expenses. He could not say his client was satisfied with the verdict in respect to the amount of the damages awarded, which he believed had been given merely because the Jury had considered that pecuniary compensation was not his object. Surely the smallness of the sum awarded as damages was no reason why he should be refused the expenses he had been put to in seeking redress in a court of law for a gross injury which had been proved to the satisfaction of a Jury. The pursuer felt that the verdict, on the whole, would have more decidedly marked the sense of the Jury of the injury done, had it given a larger sum of damages. He submitted, that when his client had shown that the defendant had not only ascribed false motives to the pursuer, but had asserted *facts contrary to the truth*, and made these facts a ground for the charges he had put forth against him, the Court would not do him justice if they did not award full expenses, when there was here a verdict of a Jury, containing a complete demonstration of the falsehood of the charges brought against him.

The Loan Committee Comission said, it was admitted by the bar, and it undoubtedly was the unquestionable right of the Court, to award expenses or not in every case, according to their discretion. The publication of the offensive libel in the present case was not only in a newspaper, but in a series of newspapers, affecting the character of the pursuer, both as a Member of Parliament and a loyal subject. He brings his action, and the Jury find a verdict in his favour on all the issues. In this case allegations were gone into of a very injurious and dangerous nature against the pursuer, merely for writing three official letters in his capacity of Member of Parliament, which would have been deficient in duty had he not done. It was said the pursuer had corresponded with ten persons on political subjects; and those charges, and others of a slanderous nature, were not warranted by the fact. The pursuer distinctly proved these libels to be untrue. Under such circumstances it was impossible for the Court to say the action had not been properly brought. As to the verdict of the jury, he thought it a matter of regret that so much stress had been laid on the character of the pursuer, as to have induced them to give nominal damages, on the ground that they could not measure the injury done to it by money. It would be better if it could be laid on the party claiming redress merely to prove the charges made against him to be false, and that the damages should be fixed in some other way. But at same time, as that was the case, the Court usually cautions the jury as to the amount of the damages. Where the witnesses are produced in Court, it was easy to determine the matter of fact; but as the question of damages, *videlicet honoris et utilitatis auctoritas*, and he had uniformly, from first to last, since the first constitution of the Court to the present day, stated something of his opinion to Juries; now that opinion was, in the present case, completely at variance with the idea of nominal damages. When he thought nominal damages should be given, he stated so; and when he did not, he stated his opinion that the Jury should exercise their discretion in fixing the amount of the damages, and that discretionary judgment and discretion was at variance with the idea of nominal damages. He stated this as being the mind of the Court in all cases, and particularly it was so in the present case. That being the case, and the present action having been properly brought, and all the

issues found for the pursuer, and the Court being of opinion, not only that the defence was not proved but that the libels were proved to be *false*, it was a necessary consequence that the action was well brought, and, of course, that a verdict of nominal damages could have no effect on the Court in forming their judgment on the question of expenses. The Court, in the present case, considered that the libels had been proved not to be *true*, and therefore they were of opinion that costs should be given.

Lord Pitmilly said, the only ground for resisting the motion for expenses, was that by the verdict nominal damages only had been given. But that could form no rule for deciding on the motion for expense. The Court would look to the whole case, to the nature of the libel, and to the right of the pursuer to bring the action; and if the action was properly brought, the Court would give expenses, whatever the verdict of the Jury might be as to the amount of the damages. In this case, the Court considered that the Jury found for the pursuer on all the issues, and yet the verdict only gives one shilling of damages. *The defender may therefore well afford to pay expenses;* and he trusted that this verdict, the opinion expressed by the Court, and the judgment they were now going to pronounce, awarding expenses to the pursuer, would have a tendency to check such libellous attacks in future, which against whomsoever they were made, must ever be offensive to sober-minded men.

Lord GILLIES entirely concurred with their Lordships. The verdict showed the pursuer was attacked by the defender, in false and injurious libels. He was therefore entitled to expenses. It has been said a reference was offered with a view to an apology, and this was urged in defence against the motion. As to any sort of reparation to the pursuer, for the public wanton and injurious attacks on his character, it was impossible he could have assented to such a proposition, as to take the private apology of the publisher as a reparation of the gross injury done by the publication of the libels. No human being would listen to such a proposal for a moment. It has been said, if the pursuer wished to vindicate his character merely, he should have taken his action before the Commissary Court, where he would have obtained a decree enjoining him to a *pain des fers* from the defender. But of the defender had been convicted by a decree of that Court, of having committed such a gross injury against the pursuer, by means of such false and disgraceful libels as the present, his *pain des fers* would not be worth the asking. After such a decree, no apology or explanation of his could possibly signify any thing in the eyes of the public. The pursuer did perfectly right in bringing his action before the Court; and it was the duty of the Court to do him justice, as far as lay within their power. The verdict of the Jury in the present case of one shilling damages was certainly a very different one from what he had expected. What had induced the Jury to come to such a conclusion he could not conceive, and would not inquire. As their verdict, it must receive effect from the Court. The verdict finds the charges made against the pursuer, in this newspaper, to have been *false and injurious*—what could be more *false and slanderous* he could not conceive. They were *false*, for they had not been proved, though offered to be so. They were declared to have been *false* by the verdict of the Jury, and most *false* they undoubtedly were. The pursuer is charged as being the correspondent of radicals and traitors, merely because he had written three letters in his official capacity, which he was not only entitled to do, but which he would have been deficient in his duty as a Member of Parliament if he had not done. On those grounds the verdict gives one shilling damages.—The Jury may indeed have thought, that any sum they could give to the pursuer would be wholly inadequate to compensate him for the gross injury he had received, and they may have thought it much fitter to have given the pursuer nominal than real damages, which however great, might have been considered inadequate to the offence.—Whatever it was that influenced their minds, that could be no rule to the Court. They were bound to take the verdict altogether. The charges are by it found to have been *false and injurious*. The Court considered them so, and therefore they would give full expenses.

The Court accordingly decided full expenses to the pursuer, and appointed an account thereof to be given in to Court to be taxed.

London, Saturday, July 6, 1822.—The Russian Government, in the course of last autumn, put forth its claims to a sovereignty of extent undefined, and at present hardly definable, on the north-west coast and continent of America, together with that of a space of ocean not less than 5,000 miles in breadth from the north-west of America to the north-east of Asia, containing every thing beyond the 61st degree of north latitude. We were not slow in announcing this intelligence, nor undecided in holding it to the notice of our countrymen the wild enormity of principles and pretensions so much at variance with the laws, the usages, and acknowledged rights of independent and maritime nations. Except as between the United States and Russia, the subject has since appeared to have slept, until last night, when Sir J. Macintosh demanded of Lord Londonderry whether the British Government had taken any pains to determine the manner in which British interests were hereafter to be affected by this designed encroachment. His Lordship answered, that the King's Ministers had lost no time in acquainting those "of Russia, that England could neither accede to the claim of Sovereignty, nor to the principle of maritime law laid down in it." But the noble Lord did not go on to state whether this notification, or the offer to negotiate by which it was accompanied, had been productive of any satisfactory results—whether Russia had shown a willingness to recede, or whether, in case of any pertinacity on her part, the merchants of England, now preparing, in pursuit of their accustomed commerce, to act in contravention of the Russian decree, will receive that practical protection from their own Government, to which all the King's subjects are unquestionably and manifestly entitled. A more frank development of the views of Ministers is therefore, as we conceive imperatively called for, before our merchants, now fitting out for their regular voyages to the Northern Pacific, shall run the risk of capture and confiscation by any new sovereign of the seas.

Sir J. Macintosh next required from the noble Lord, an explanation of the design of Ministers with regard to a circumstance which we on Thursday last, and on good authority, detailed to our readers, and which deeply affects the interests of British navigation—the seizure by a Spanish privateer, and judicial condemnation, of the *Lord Collingwood*. Sir J. Macintosh took the same view of this occurrence which we had already done—a view which is both obvious and irresistible—viz., that the King's Ministers must either recognize the independence of South America, or let his Majesty's subjects continue to be harassed in their lawful commerce, and robbed on the high seas with impunity, and in a season of full peace between England and every other Power. The noble Marquis betrayed, by his memorable reply, that he left the alternative in all its bitterness. What was his refuge? He told the House of Commons in so many words, that he had *never before heard one word about the matter!!!* The Minister told the Parliament of England, that a fact so important to her commerce—a fact so notorious—a fact which had produced an increase of the insurance on one whole class of British merchantmen of 150 per cent., never reached the ears of Government until it was mentioned on the floor of the House of Commons three or four days after the news had been public in the city. His Lordship, of course, never reads this Journal, although it is not the first time by an hundred that his colleagues and his clerks have been indebted to us for information. But how came the official documents into Dr. Lushington's hands, if they had not been transmitted to the Foreign Office, or to the Board of Trade? Does not this country keep a Consul—a well paid dependent on the noble Lord's own official patronage—in the Spanish colony of Porto Rico? And has this high and efficient officer betrayed his trust, or so grossly neglected his bounden duty, as to see a British ship condemned in a foreign prize-court without sending an account of it home? We hope this matter will be pressed again, and speedily, upon the attention of Parliament, were it only that modest men, with short memories, may have the opportunity of refreshing them.

Imperial Parliament.

HOUSE OF COMMONS, FRIDAY, JULY 5, 1822.

The SPEAKER was summoned to the House of Lords, to hear the royal assent given by commission to several bills which have passed through both houses of parliament.

On returning to the house, the SPEAKER stated the names of these bills. (See Lord's report.)

HIGHGATE CHAPEL BILL.

Mr. Alderman WOOD presented a petition from the inhabitants of Finchley and Hornsey, against this bill.

Mr. BROUGHAM considered the bill to which the petition referred as one of great public importance; and he requested the hon. member for Middlesex (Mr. Byng) not to move its second reading at so early a period of the evening, as it was customary to proceed with what were called private bills.

Mr. BYNG replied, that the promoters of the bill desired to receive the decision of the house upon it; and therefore he would move the second reading as soon as his name should be called from the chair.

Mr. N. CALVERT presented a petition from the inhabitants of Holloway and Kentish-town against the bill.

Mr. BYNG having been called upon by the Speaker, moved the second reading of the Highgate chapel bill.

Mr. HUME rose to oppose the motion. He said that since the bill had last been under discussion in that house, he had examined the charter, the letters patent, and other documents connected with the school. From these he gathered that the school had been endowed in 1566, by Sir Roger Cholmondeley, as a grammar school, for the education of poor children, under six governors. Subsequently to this, two acres of land and a chapel, bringing in a revenue of 101. 12s. 4d., were given by the Bishop of London to the founder of the school. He wished this to be understood—that this land was not given originally to the school, but to Sir R. Cholmondeley, who afterwards granted it to the school. He thought it evident that the revenue of the lands was intended exclusively for the support of the school, and that there was no pretence for applying them, or any part of them, to the building of chapels. Another circumstance which ought to induce the house to reject the bill was, that the highest law officer of the crown had desired, that at the present moment a suit was pending between the inhabitants of the hamlet and the Governors of the school, to determine to whom the revenues arising from the lands belonged. The learned gentleman added, that if the bill were passed into a law, it would prejudice the suit in the Court of Chancery. Under these circumstances, he would move that the bill be read a second time this day six months.

Mr. Alderman WOOD thought it very extraordinary, that whilst the inhabitants of Highgate were almost unanimous in their opposition to the bill, the hon. member who had introduced it to the house had not yet said a single word in its favour. (Hear.) The school at Highgate, in his opinion, had been originally intended for a classical school, though now it was converted into a mere national school. He did not object to national schools, but why should this, which was intended to be a classical school, and now, he believed, had funds to the amount of £600. a year, be changed into a school of the former description? He trusted that his hon. friend would not persist in the measure. He believed that the hon. bart. opposite (Sir J. Graham), who had on a former occasion supported the bill with so much warmth, would, if he spoke the truth, declare that the object which the promoters of the bill had chiefly in view, in endeavouring to get it passed now, was to be repaid their expenses. He would vote for the amendment.

Sir J. GRAHAM said, he would defy the worthy alderman or any other man in that house to charge him with having spoken an untruth. He was sure that very little truth had been spoken on the subject of the bill, he would not say in that house, but out of doors; and he was sorry to perceive that the honorable and learned gentleman opposite (Mr. Brougham) had lent himself to oppose the bill, upon the representations of individuals out of that house. The hon. baronet observed, that because an attorney of the name of Graham was employed in promoting the bill, it had been supposed that he was this Graham. That, however, was not the case; and he begged to state, that never since he had the honour to sit in Parliament had he received a single farthing in his professional capacity. He was induced to support the bill before the house, because it was calculated to promote the inculcation of religious principles. The chapel which the bill proposed to pull down had, from time immemorial, been used as a chapel of ease, and general cry for a new chapel had prevailed in Highgate for the last 10 years. In answer to what had fallen from the hon. member for Merton respecting the suit in Chancery, he would observe, that the bill contained a clause, the effect of which was to save the jurisdiction of the Lord Chancellor.

Sir ROBERT WILSON asked the honorable baronet opposite, why, if the inhabitants of Highgate desired so much to have a chapel,

they did not build a new one, and pay the clergymen with funds of their own?

Sir J. GRAHAM replied, that he was not in all the secrets of the inhabitants of Highgate.

Mr. Alderman HEYGATE opposed the bill. He understood that upon the ground upon which the chapel stood, there originally existed an hermitage, or holy cell, to which the inhabitants were accustomed to resort: from this circumstance, probably, it might have been thought necessary to read prayers occasionally in the chapel, but he believed it never was a place for the care of souls.

Mr. CHOLMONDELEY (as we understood) supported the bill.

Mr. BROUGHAM said he was induced to oppose the bill on public grounds. The hon. bart. opposite was wrong, when he supposed that he (Mr. Brougham) had been prevailed upon to oppose the bill by the solicitations of individuals out of doors. He had, it was true, had interviews and communications with both the friends and the opponents of the measure, and, without offence to either, he would say, that he cared as little for the one party as for the other. He had founded his opinion on the report of the commissioners for inquiring into the abuses of charities. He looked in the first place on any occasion with the greatest suspicion, to acts of the house interfering with the rights of private property. If there were any one part of the conduct of Parliament which was peculiarly liable not only to doubt but to reprobation, it was the conduct of both Houses of Parliament in legislating upon what were called private bills. He believed, that if the whole mystery of the manufacture of private bills were fairly unfolded to Parliament and the country, such a scene of practical injustice and abuse would be laid open as would grieve both Houses of Parliament, and disgust the country which reposed confidence in them. (Hear.) Men of the most honourable dispositions, who, if they were serving as jurors, would shudder to be asked to decide in a particular manner upon a question of fact, had no hesitation to go into a committee on a private bill, and to give their voices, by mere dint of canvassing, upon questions which affected the dearest interests of individuals, the decision of which went to take the whole of his property from one man to give it to another. He threw out these observations generally, without intending to apply them to any particular part of that or of the other house of Parliament. To return to the question immediately before the house, it appeared that two acres of land and a chapel had been given to the school. It might be said that the revenue arising from these lands belonged partly to the school, and partly to the chapel. Now, he had read all the documents connected with the subject, and he came to this conclusion—and he defied any man who should read them to come to any other—namely, that the revenue was applicable exclusively to the support of the school. It was said that a chapel was necessary at Highgate. This was all very well. He dared to say that a new chapel was much desiderated there, and he would by no means object to the building of one. Let the inhabitants have a chapel, but let them apply to parliament in the usual way to lay an assessment on them in order to obtain funds. He only objected to their taking from funds destined for another purpose, enough to enable them to build a chapel. He maintained that the funds with which it was proposed to build a new chapel were not destined to chapel-making but to school-keeping. The two things certainly were not incompatible, but still they could not be considered the same. Sir Roger gave the land to the school, and not to the chapel. If the house consented to pass the bill, or even to advance it another stage, it would commit an act of the most flagrant injustice, which would stand singly even in the history of private bill making. It had been said that the grant made by the Bishop of London was not valid. Whether the grant were originally valid, he did not know; but he thought no one would succeed in destroying its effect after a possession of upwards of 200 years. If the grant were invalid, it certainly appeared a little extraordinary that the reverend successors of the Bishop of London should have stumbled over the rights of the church for two centuries. After some further observations on this point, the hon. and learned gent. proceeded to contend that the trustees of the charity had no right to apply any overplus of the funds to any purpose not consistent with the understood intentions of the founder of the school. He concluded with expressing his intention to vote for the amendment.

Mr. WETHERELL supported the bill, being of opinion that the chapel formed part of the endowment of Sir Roger Cholmondeley.

The ATTORNEY-GENERAL was, for the greater part of his speech inaudible; but was understood to oppose the bill.

Mr. HOLME SUMNER wished his hon. friend, the member for Middlesex, to withdraw the bill.

Mr. BYNG shortly explained the reasons why he could not assent to the suggestions of his hon. friend.

Mr. S. WHITBREAD said that he could not vote for this measure, as there was a suit pending in Chancery regarding the property to which it referred.

The gallery was then cleared for a division, when there appeared
For the amendment, 62 | Against it, 69.

The amendment was therefore lost by a majority of 7.

On our re-admission to the gallery, the bill was read a second time, after a few words between Mr. BROUGHAM, Mr. CALCRAFT, and Mr. H. SUMNER.

RUSSIAN CLAIM TO DOMINION IN AMERICA.

Sir J. MACINTOSH said that he had some questions to put to the noble marquis opposite, on which it would be necessary for him to say a few words in explanation before he propounded them. The house was, without doubt, aware that the Emperor of Russia had lately issued an *Ukase*, by which he claimed as Russian dominion a large portion of the north-east coast of Asia, and the north-west coast of America, and by which he had likewise adjudged to the Russian empire a portion of ocean which was not less than 5,000 miles broad. As a proof that he intended to exercise the sovereignty which he had claimed, he had forbidden all ships to come within 100 Italian miles of the American coast within the 51st degree of north latitude. Now there were several ships at that moment fitting out in the port of London, to carry on their usual trade in that part of the ocean which the Emperor of Russia had adjudged to himself. The questions which he therefore wished to ask of the noble marquis were these: first, Had his Majesty's government received any authentic copy of the *Ukase* issued by the Emperor of Russia, in which he claimed to himself dominion over the north-west coast of America, and the north-east coast of Asia? And, secondly, if they had, whether they had taken any measures to protect British navigation from such extravagant and preposterous pretensions?

The Marquis of LONDONDERRY replied to the questions, but in a very low tone of voice. We understood him to say, that he had received a copy of that *Ukase* soon after it was issued. As soon as his Majesty's Government had received it, they lost no time before they sent a note to the Russian Ambassador in this country, declaring that they could not accede either to the claim of sovereignty, or the principle of maritime law laid down in it. (hur, hur.) At the same time they offered to enter into an amicable negotiation on the subject, to prevent any misunderstanding arising between the subjects of the two powers.

CONDEMNATION OF A BRITISH VESSEL IN A SPANISH PRIZE COURT.

Sir JAMES MACINTOSH then said, that he had another question to put to the Noble Marquis upon another incident that affected the lawful navigation of British subjects. The house must have heard of a recent decree of a Spanish Court of Admiralty at Porto Rico, by which a British vessel, trafficking with Buenos Ayres, had been condemned as good prize on account of an alleged contravention of the fiscal and colonial laws of that country. Now, though he was convinced that by national law no state had a right to detain vessels as prize which were trading with territories over which she claimed dominion, but of which she had not possession, still he did not know of any other mode of checking the practice which Spain had recently adopted than by recognizing at once the independence of the territories which she considered as colonies dependent on her. He wished to ask of the noble marquis—first, whether he had received any information of the condemnation of a British vessel at Porto Rico for a pretended contravention of the law of Spain in trading with the Spanish colonies; and, secondly, if he had, whether he had taken any measures to prevent the repetition of a similar injury in future?

The Marquis of LONDONDERRY had no recollection of ever having heard of such an occurrence before. Perhaps, if the hon. member would mention the name of the vessel, it might bring the circumstance to his mind; but at present he had no recollection of any thing at all like it. He had not, to the best of his knowledge, received any information of the fact; and if it had occurred, would be obliged to any hon. member who would make him acquainted with the particulars of it. (hur.)

Dr. LUSHINGTON said, that the name of the vessel was the *Lord Collingwood*—that he had himself seen the decree of condemnation—and that if the noble marquis would permit him, he would forward a copy of it to him for perusal. In consequence of this decree, the insurances to that part of the globe had risen from 30 to 70 shillings per cent.

The Marquis of LONDONDERRY repeated, that the document in question had never been in his possession. He should, however, be glad to peruse it.

COMMITTEE OF SUPPLY.

On the question being put, that the house do resolve itself into a committee of the whole house, to consider further of the supply to be granted to his Majesty.

Mr. BERNAL said that he would take that opportunity of asking the right hon. secretary for Ireland, what was the object of the committee for which the orders of the day informed him that he intended

to move, upon the distress unfortunately now prevailing among 500,000 of our fellow-subjects in Ireland?

Mr. GOULBURN replied, that the object of the committee was to enable the Government to afford immediate relief to the suffering and distressed poor of Ireland. He was happy, to say that the result of the measures which the Government had already adopted, had been of the most consoling and satisfactory nature. The accounts which he had that morning received from those parts of the country which were most distressed, was more satisfactory than he could have ventured to anticipate some days ago, and led him to believe that the subscriptions of the benevolent, aided by the exertions of Government, would carry the people of Ireland through all their difficulties—if not without suffering, at least with less suffering than had originally been expected.

Mr. D. BROWNE stated it as an extraordinary circumstance, that though the people of Ireland were starving, provisions were never more abundant or more cheap. He did not understand how this could be; there must be some mystery or exaggeration about it that he could not penetrate. He saw a monstrous export going from Ireland at the very moment that its population was starving.

Mr. V. FITZGERALD was surprised that the hon. friend (Mr. D. Browne) should come forward to state that the accounts of the distress in Ireland were exaggerated. He contended at some length that they were not so, and instance several cases of distress with which the public is already acquainted. He was afraid, notwithstanding the tongue anticipations of his right hon. friend the Secretary for Ireland, that the distress was still so great that the funds of charity would be insufficient to relieve it.

Sir JOHN NEWPORT said, that those who were incapable of honouring unquestionably to have whatever support could be afforded them, and those who were capable of working ought to have all possible means extended to them of earning a subsistence. He stated this from a desire that it could not be understood he was so callous to any adherence to principles of political economy as to permit them to contravene those feelings which humanity had dictated for the provision of the people, situated as Ireland now was. (hur.)

Mr. WILLIERS hoped that nothing would fall from any honorable member calculated to throw a damp upon the liberal contributions now making for the sufferers in Ireland, and for which every post showed the inevitable necessity. (hur.)

Mr. D. BROWNE explained.

Here the conversation dropped.

THE SCOTTISH MONUMENT.

Lord BINNING moved that the petition for a grant for the national monument of Scotland be referred to the committee of supply.

Mr. HUME desired to know why some other opportunity could not be taken for proposing such a grant.

The CHANCELLOR of the EXCHEQUER replied, that it naturally belonged to the business of a committee of supply.

Sir R. WILSON said that the petition could not be referred to the committee, as it contained an erroneous statement of the funds applicable to the building of churches.

Lord BINNING said, that the petition was correct in alluding to the circumstance of a sum having been voted for building churches in Scotland, although that sum had not since been raised or appropriated.

Mr. BENNET objected altogether to the mode taken by the noble lord to introduce this business. It was true a sum had been voted for building churches, but that was very distinct from any grant for a national monument in Scotland. A distinction ought certainly to be drawn between the one purpose and the other, and an estimate of the difference of expense between the erection of a church and a monument ought to precede the consideration of this grant. (hur.)

Mr. HUDSON GURNEY thought it preposterous to vote 100,000 to put upon Calton-hill a meagre, poor, and miserable imitation of the Parthenon at Athens. (hur.)

Lord BINNING said, that the question was not now what the style of the monument should be, but whether the petition should be referred to a committee.

Sir R. WILSON said, it was very material to know the difference of expense between the church and imitation of the Parthenon.

Mr. HUME said, that he should unqualifiedly oppose the reference of the petition to a committee without further information. This was not a time for a hasty appropriation of the public money.

Lord BINNING expressed his astonishment at the novel course which had been taken on the present occasion. His motion was not for a grant of money without inquiry; but that the petition be referred to the committee. He had only now to withdraw his motion, and it is to stand as a notice for the next supply day.

PARLIAMENTARY.

—149—

Sir J. MACINTOSH observed, that the noble lord need not be surprised at the desire merely to discuss his proposition.

ALTERATION IN THE CURRENCY.

On the question that the house do resolve itself into a committee of supply.

Mr. WESTERN rose to call the attention of the house to certain associations which he had already prepared for their consideration.

The Marquis of LONDONDERRY rose to order, and begged to submit to the hon. member's own judgement whether the course he was about to pursue was not contrary to the usage of Parliament. (hear.) He did not mean to controvert the hon. member's right to introduce any motion without notice; but to submit to him the impossibility of discussing his question, in the absence of a single paper, connected with an extensive and important a subject—one which no human being was this night prepared to meet. The army extraordinaries was the regular question expected for the night, and he trusted the hon. member would see the propriety of not interposing under such circumstances, and would rather give notice for an early day, when he could regularly introduce his resolutions. (hear.)

Mr. WESTERN said that he was most ready to facilitate rather than retard the public business. He knew that it was usual to precede a motion by a notice, and conformably to that usage he had had his resolution printed, and formal notice given a fortnight ago for a discussion upon them. On Wednesday last, however, (the day of his notice) there was no house. Without supposing that influence was exerted to prevent a sufficient attendance of members on that day, he might yet be permitted to say that it was unreasonable at this period of the session to expect he would give another fortnight's notice antecedent to the discussion upon his resolutions. He saw no open day earlier than the 16th, and, not meaning to postpone the question so long, he took the present, which he deemed a proper opportunity for introducing the subject. If the noble marquis would yield him an early order day, suppose Monday next, he should abstain at the present moment from pressing his motion.

The Marquis of LONDONDERRY suggested Wednesday next as a more convenient day.

Mr. HUME said he had a motion on that day, which would have precedence.

Mr. WILMOT consented to postpone his motion respecting the trade of Canada, from Tuesday until Friday next; and Mr. Western's motion was fixed for Tuesday next.

ARMY EXTRAORDINARIES.

The house then resolved itself into the committee of supply.

Mr. ARBUTHNOT, in rising to propose the army extraordinaries, pointed out the alteration in preparing the accounts, which he had adopted since last year by desire of the house. Formerly, when the extraordinaries were proposed, the information given was chiefly confined to the amount of bills drawn by the foreign commissioners; to this information was now added, a general abstract of the expenditure itself. The whole sum spent for army extraordinaries during the last year was 1,015,000l. The sum voted last year on account was 1,000,000l, but then there were balances on hands amounting to 170,000l. The balances at present were about 115,000l. He did not for the present year mean to propose a larger grant than 700,000l; and here, he ought to observe, that it was usual to include in this account a sum of 200,000l, advanced to the East India Company for military purposes, but afterwards accounted for with the government. By a new arrangement, however, that grant was to be omitted. He should now propose that a sum not exceeding 700,000l. be granted for the army extraordinaries of the present year, and would be ready to give any further explanation which the committee might require.

On the resolution being put by the CHAIRMAN,

Mr. HUME rose and said, that though it was true a considerable improvement had taken place in the manner of making out these estimates in the present year as compared with the last, still he thought that the separate estimates for the colonies ought to be distinctly shown and explained. There was, for instance, a sum of 354,781l. for Canada, being a part of the entire expense of 400,000l. for that colony, which ought to be more clearly explained. For Ceylon there was also a head of expense; but where was an account of the real revenues of these colonies? The revenue of Ceylon was 375,812l., which, if the exchange were not affected by a depreciated currency, that ought to be remedied by the government both there and at the Cape of Good Hope, would amount to 865,000l. In the Mauritius there was a revenue of 164,611l. Why were not these receipts regularly explained and accounted for, before the people of England were called upon to pay grants for the particular services of these colonies? (hear.) The revenue of Malta was 180,359l., of the Cape 160,000l., which, without including 20,000l. or 30,000l. for Trinidad, made a total colonial revenue of

707,704l. a year—a sum that would exceed a million were it not for the depreciated currency. These revenues ought not, he contended, to be at the disposal of the King and Council, and the local Governments, without Parliamentary inquiry, and being rendered item by item applicable to the colonial expenditure. (hear, hear.) There was a system of expense kept up in these colonies which was unjust and unnecessary. For instance, there were colonial agents, one of whom (for Ceylon) was the commissioner for woods and forests (Mr. Huskisson), at a salary of 1,200l. a year, for doing what could as well be done, without any additional expense, by the colonial commissariat and paymaster establishments. (hear.) Other colonial agents, equally unnecessary, had 600l. a year at home. The agent for the Ionian Islands had 600l. He should propose the reduction of these sums from the grant, as constituting an useless excess of expenditure. There were various useless offices attached to the colonies, and he had to complain that some accounts respecting them, for which he had moved early in the session, were not yet forthcoming although the information which they contained ought to precede the introduction of these specific votes. There was also 2,557l. a year for 8 inspectors of militia in the Ionian islands, although the islanders were all disarmed; that was surely an useless expenditure, and ought to be reduced. (hear.) The same appeared at the Cape of Good Hope, and in that colony he could not help contrasting the amount of the estimate deemed sufficient in the year 1816, when they had obtained possession of it. Lieutenant-General Craig, who was then Governor, received 1,116l. as his full payment; the present Governor received 10,000l., besides large sums of staff appointments, amounting in all to about 35,000l.; there were also large farm and country house establishments, with the expenses of feeding large numbers of slaves, all of which might be dispensed with; the secretary for the colony had 3,500l. a year. Now the revenue of the Cape of Good Hope was 110,000l., although if the currency were not so improperly depreciated, that revenue would amount to 3 or 300,000l. Surely the country ought not to be called up to maintain such useless establishments as these colonial staff appointments, at their present rate. He contended, that the revenues of the colonies, generally, ought to be brought as much into the account of ways and means, as any other item whatever. The honourable gentleman then proceeded to read a great variety of items, charged on account of the Cape colony; and particularly recapitulated some of the salaries paid to officers of the civil and military departments of that colony. The whole scale of these salaries was most exorbitant, and especially that of the auditor of accounts; who for auditing them (amounting to about 110,000l. a year on an average) received, (as we understood Mr. Hume) an income of 1,600l. To give such allowances, was to fritter away, in the most unnecessary and most extravagant way, a large revenue. The aggregate amount of charge for the civil appointments at the Cape was about 10,000l. a year. Of this sum he would boldly say, that about 9,000l. or 10,000l. might be saved to the country. Then the house would look at the Mauritius. The yearly revenue of that colony was by no means a trifling one; for it was not less than 164,611l. per annum. Yet this country, it appeared, was to be called on to pay the Governor 3,000l. per annum. The income which he took would save, in time of peace, the whole establishment of the colony; instead of which we were at a very considerable expense on account of it. Surely, with such a revenue, the island ought not to be such a burden to us. Yet how could it be wondered at, when such men as Mr. Theodore Hooke, for instance, might be secretaries to colonies (hear); and might be allowed to get into the debt of government ten, eleven, or twelve thousand pounds? (hear.) How could it be wondered at, when his Majesty's ministers did not care who was secretary, provided he was of their recommendation, and when they would take a man for such an appointment without security? He (Mr. Hume) understood that Mr. Hooke had been allowed to enter upon his office without giving any security. He (Mr. Hume) did intend forthwith to move for returns of the different defences, and of the amount of their defalcations, in the course of a few years last past, which would show that the public had sustained the loss of millions by the neglect of Government in appointing to offices, and which would have the effect, he trusted, of inducing them in future to require from individuals sufficient securities for the proper and faithful discharge of their offices. For the same paltry island (the Mauritius) there was a paymaster-general at a salary of 1,600l. a year, a deputy paymaster-general at 800l. a year, and several other officers with salaries equally unequal for and disproportionate. He certainly, however, did understand that ministers meant to send out a commission with powers to inquire into and report upon these various establishments; and he would allow that this circumstance showed a good disposition on their part to reform them, and put them on a more economical footing than theretofore. The right hon. genl. opposite had said, he confidently expected that next year the army extraordinary, by reason of the reductions which it was in contemplation to effect, would be less than the present estimate by 100,000l.; but he (Mr. Hume) would maintain that had government thought proper—as it was their duty to have done—to send out such a commission a few years ago, the army extraordinaries for the ensuing year would have been less than the present amount by not less than 300,000l. (hear.) It was in vain to talk of the saving effected to the country by the discharge of

a few unfortunate clerks who had lately been dismissed, while this sort of economy was not substituted for the extravagant and unwarranted expenditure in our colonies. On the grounds which he had stated to the house, he must enter his protest against the manner in which this estimate was drawn, and express his hope that such an estimate might never in the same way come again before the house. The only way for the house now to proceed, in his opinion, would be to reduce the vote by 100,000l., and instead of 700,000l. to grant a sum not exceeding 600,000l. (hear.) Sorry was he to hear the right hon. gentleman (the Chancellor of the Exchequer) the other night declare in his place, that the estimated expenses of 1823 and 1824 were equal to those of the present year. The noble marquis (Londonderry) might shake his head but he (Mr. Hume) was not mistaken for he had the right hon. gentleman's own figures to bring against the noble lord's shake of his head (a laugh, and *cries of "hear."*) The same observations that he had made with respect to our other possessions and colonies would apply to Jamaica. The collector of that island was lately dead; and this office was now to be given to a young man totally unconnected hitherto with the public service; instead of being conferred on some individual who was now receiving a salary for the performance of the duties of the collector, and by which means one salary might be saved to the country in place of its having to pay two. The hon. gent. then adverted to the items charged on account of Gibraltar, of the Ionian Islands, and Malta. It was scandalous that a man should be sent out with an enormous salary, as a governor, to a place which experience had shown could be very well held by the present representative of the Governor. It appeared to him (Mr. Hume) to answer no purpose, but the expending a large sum of the public money. Within only a few weeks after his Royal Highness the late lamented Duke of Kent retired from the Government of Gibraltar, his Majesty's Ministers appointed the Earl of Chatham to that office; what was sufficiently proved to be an unnecessary one by the circumstances of his Royal Highness, who filled it for some years, having resided the greater part of the time in England. He (Mr. Hume) had no desire to speak of the military talents of the Earl of Chatham; but this appointment seemed to be at least unwise, because it was not necessary. The salary of the Judge Advocate of Gibraltar, who had 1,000l. a year—looking to his duties and the numerical amount of the garrison—did appear to be most exorbitant one. The honourable gentleman, after taking occasion to complain of the doxy which had taken place in the bringing forward of these estimates, recapitulated some of the heads of charge for Sierra Leone, Gambia, and Heligoland. The aggregate of the estimated colonial expenses for the military account was 1,820,000l., to which an item of 700,000l. was to be added for expenses of our new colonies; without including several other charges. Altogether these colonies cost Great Britain 2,500,000l. He was aware that he might be told this was not all extraordinary expenses; but it amounted to the same thing, when he was complaining of the burden which they imposed upon the country; for they were equally extensive to her as forming part of her ordinary expenditure. Upon a review of the several charges for our civil and military establishments in Canada, Nova Scotia, Barredua, Barbadoes, and Trinidad, the hon. gentleman contended that one-half, at least, of the excessive number of staff officers was unnecessary, and one half of the commissariat in the enjoyment of perfect sinecures. There were several other items which would furnish matter of observation; but which, as should only exhaust the patience of the house by going into (hear, hear), he would not now detain them upon. Whenever these estimates might come again before the house, he (for one) should certainly object to the payment of any charge that was likely to be a permanent among what were called the army extraordinaries; for, as being a permanent charge, it might surely as well come under the general estimate as any other. He did call upon the house to watch every item in these extraordinaries with the greatest vigilance and care; for these times of difficulty and distress were not times for squandering money away needlessly or lavishly. He came now to an item which more particularly regarded another right honourable gentleman opposite (the Chancellor of the Exchequer.) Here was an item of 900l. to a colonial paymaster for raising a Dutch loan. He (Mr. Hume) had always understood that the raising of loans was a matter confined specially to the Chancellor of the Exchequer. It was the more to be regretted that such a charge should appear without explanation, because there was good reason to believe that the money was borrowed on a Dutch account, for the ultimate purpose of enabling Russia to sustain a war against England. With regard to colonial agents, he held them altogether needless charge, and should therefore take the sense of the house on the propriety of continuing it. His amendment would also include the abolition of the offices of the inspectors of the Ionian militia. Another vote in the papers was 8,000l. for Colonel Petre's establishment, which seemed quite useless; each regiment had its separate riding-school, and why was it necessary to maintain a general school for the whole of the cavalry regiments? In his opinion such a vote was absolutely absurd. He wished to know why a large sum charged in these estimates for barracks had not been brought forward in the vote for the barrack department, and not in the army extraordinaries. He contended that the colonial revenues ought to be brought distinctly before Parliament; nearly a million was expended upon private establishments,

which were kept out of the view of the public: this expenditure was, besides, under the sole control of the Secretary of State; and however unimpeachable the minister, he (Mr. Hume) could not repose sufficient confidence in any man to leave to him the disposal of so enormous an amount. Availing ourselves of the revenues of the colonies, he was satisfied that at an expense of less than 500,000l. the government of the colonies might be managed without any of the needless and burdensome double establishments now existing. In this department there was scarcely a single item in which a saving of nearly half might not be effected. He was determined to take the sense of the house upon the two items he had before mentioned. The expense of colonial agency was 3,400l. per annum, *viz.*, for

| | |
|-------------------------|---------|
| Ceylon | 1,200l. |
| Cape of Good Hope | 600l. |
| Malta | 600l. |
| Manitoba | 600l. |
| Ionian Islands | 600l. |

3,400l.

From the whole of this charge the public did not receive the slightest benefit. The other item on which he should call for a division was 2,877l., the pay of eight inspecting officers of the militia of the Ionian Islands, making in the whole a deduction of 6,977l. from the original vote of 700,000l. The honourable gentleman therefore concluded with moving an amendment, reducing the vote required to 694,023l.

The amendment was put from the chair.

To a question from Mr. BARHAM, Mr. Hume replied that he had confined his observations principally to the colonies governed by the King in Council, though he had also referred in some degree to such colonies as Jamaica, where there existed a separate house of assembly for the regulation of the island. He had contended that if the governors, secretaries, &c. were paid less, the inhabitants of the colonies would feel no difference, while the reduction was most important to the people of this country. The surplus might be applied to the support of the military establishments.

Mr. BARHAM made a few remarks upon the state of exigency and distress of Trinidad. No change of constitution could enable the inhabitants to pay one farthing more.

Mr. WILMOT contended that the amendment of the hon. gent. was without, inasmuch as the reduction he proposed had nothing to do with the vote of 700,000l. for army extraordinaries. In the outset he would say, that the value of our colonies was not to be estimated merely by commercial considerations—by the precise sum they cost or produced—they were connected with the power and glory of Great Britain. At all events, if they were looked at in the narrow view of the honourable gentleman, he ought to have recollect that the revenues they produced should be balanced against the expenditure they occasioned. This point seemed to have been wholly omitted in the minute calculations of the honourable gentleman, who had not adverted to the undeniable fact, that Canada, Nova Scotia, Newfoundland, &c., yielded receipts to the amount of 287,000l., which ought, of course, to be placed on the credit side of the account, and to be subtracted from the total amount of the charge. With respect to colonial agents, he (Mr. Wilmot) contended that their duties were of considerable importance, and that their services could not be dispensed with. The colonies did not wish for the reduction of them, although they paid the expense. The other point to which the amendment referred, admitted of nearly a similar answer; for though the militia of the Ionian Islands had not been actually embodied, it had been mustered; and if these inspectors were removed, some other persons must be called upon to perform their functions. Besides, as English residents, they produced the most beneficial results; and if they were not in the islands, the government of them would be a task of much greater difficulty. The question ought to be decided by this test—whether the people of the islands would be satisfied without the services of these inspectors? No colonial agent was yet appointed for New South Wales, but one was wanted; and it was in contemplation to appoint an agent. It was also the intention of Government to send out commissioners to Ceylon and the Manritas, to ascertain the propriety of diminishing the salaries of public officers there. As to extending the British constitution to the islands upon which it had not yet been bestowed, he apprehended that few persons would agree with the honourable gentleman, that, in the present state of society there, such an extension would be of any advantage. The honourable gentleman seemed to wish to make many very sweeping reductions, and to put all offices, as it were, up to a Dutch auction; this reminded him of the assertion of a man at Stockford, during the late riot, that he should not object to be Chancellor of the Exchequer at a salary for 10s. 4d. per week. (hear, and laughter.) It was proposed that the Knights of Malta should in future be paid by the government there. The remarks of the hon. gentleman on Sierra Leone he (Mr. Wilmot) considered altogether inapplicable; the expense of that settlement was borne by the people for the sake of religion and humanity, and it ought not to be made a subject of mere pecuniary calculation. On the subject of securities, he could assure the hon. member that no

officer was now appointed to any place of trust in the colonies without them. The military situation of Canada, and its contiguity to the United States, rendered it necessary that a force should be kept up there at present; but he had little doubt that, if her resources were brought into full operation, she would be able to defend herself against America. Trinidad, like some other colonies, was not in a situation to receive the benefit of the British constitution; but he admitted, that, where improvements were rational and impracticable, they ought to be adopted. Upon the whole, as the amendment was inapplicable to the vote, he trusted the committee would reject it.

Mr. ARBUTHNOT felt it necessary to advert only to one or two points, and principally to the remark of the hon. gentleman on the subject of the budget. From previous communications with the Chancellor of the Exchequer, he knew that what that right honourable gentleman had said had been most grossly misrepresented, although not intentionally. He had taken as unfavourable a view as possible of the revenues and resources of the kingdom; but had never intended to say that no further reductions could be made. In the estimates of next year those reductions would be found, although they could not be effected in these now upon the table. As to bringing the matter forward at so late a period, he could only say that he (Mr. Arbuthnot) had brought his box of papers down so often, that at last he thought it would almost find its own way, and relieve him from a burden so unpleasant. (hear, hear, and laughter.) On the subject of the £600,000. to Mr. Atkinson, paymaster of the Dutch loan, he could only say that the Dutch bankers, (Messrs. Hope) had refused to transact the business at less than a quarter per cent. which was the amount now given.

Colonel DAVIES contended that the honourable member for Monroe had not been guilty of any error in the calculations he had made of the expenses of the colonies. The honourable gentleman then proceeded to condemn the practice of granting pay to individuals in the Ionian islands, as inspecting field-officers of militia, when there was no militia to inspect. Let those who were employed be paid for what they actually did; but let them not receive money for duties which they could not possibly perform. If they compared the establishment of 1816 with that of 1819, they would find that it had increased enormously, not merely with respect to numbers, but also with reference to salaries. But the same system of jobbing was observable in every department. The honourable gentleman had thought proper to defend the expedition of Sir Thomas Maitland from island to island. He had told the house, that, in future, this country would be freed from the expense of maintaining a frigate for that purpose, as they were building one in the islands. But where was the saving, when they all knew that it would be built at the expense of the British Government? The honourable gentleman had entered into a flowery statement of the necessity of maintaining the rights of hospitality in the colonies; but he would ask the house to compare the expense to which the French and Dutch were put, when they held certain of those colonies, and it would be found that this country was put to a three-fold expense. Many of the colonies were so situated, that it was impossible they could be subjected to any very great demands on the score of hospitality.

Sir R. WILSON objected to the payment of an inspector of militia in the Ionian Islands, where in fact there was no militia. The intemperate conduct of Colonel Ross, who held that situation, towards Mr. Rossi, whose only crime was having in his possession, and in endeavouring to procure signatures to a petition which was meant to be forwarded to his Majesty, ought to have been visited with severe censure if it did not preclude his recall. The hon. gent. had夸张ated on the value of the new colonies; but if they were all governed in the same way as the Ionian Islands, so far from becoming valuable, they would soon be recognised only as the sink of the national wealth, and the grave of the national honour.

Mr. GOULBURN said, when the hon. member for Aberdeen first brought the subject of the Ionian islands under the consideration of the house, he moved for an account of the militia, and the return to it was nil. The hon. member then came down to the house, and argued that there was no militia on the islands, because there was none embodied. He (Mr. Goulburn) stated at the time that the non-embodiment of the militia did not affect its existence. In illustration of that point he had reminded the hon. member, that the militia of this country was in existence during those periods when it was not embodied. He did not think it necessary again to express his opinion of the conduct of the gallant officer who presided over those islands. He should merely say that he would be perfectly ready, at all times, to meet any specific charge which the gentlemen opposite might think proper to bring against that individual.

Mr. H. G. BENNET said, they had heard much of the importance of the duties entrusted to colonial agents, but no explanation had been given as to the nature of those duties. He should like to know where their office was, the number of clerks on their establishment, and the quantity of pens, ink, and paper, consumed in the performance of their official functions. (hear, hear.) He wished to have a few of the details. They knew the gross amount of what the country had to pay, but they did not know the extent of the incidental expenses, by which an estimate might be formed of the portion of business that was transacted. When, upon a former night, an hon. gent. (Mr. Courtenay) made his

flourishing statement to the house, it appeared that the whole interests of India were under his especial protection; and so severe was his labour, that he had not even a moment to spare. How came it, then, that he could find to manage the settlement of the Cape of Good Hope, for which he received a salary of £600. a year? (hear.) Would it not be much better to state at once what must be known to every one, that the situation was pitched upon as the means of putting £600. a year in the pocket of the hon. gent. without his performing duty even to the value of £6d.? Why should demands for money be made, under such false pretences? They were told that the large salaries given to officers in the colonies was necessary to keep up a proper degree of dignity. Therefore, £3,000. a year was given to a governor, £2,000. to his secretary, and sums equally extravagant were granted to deputies and deputies' deputies. Now, if they were to decide this question with reference merely to dignity and splendour, £100,000. a year would not be enough; but if they looked to the effective service performed, and, it was to that alone they should look, then the £5,000. or £10,000. that was now paid was far more than enough. They had had the Mauritius for some years—and what use was made of that settlement? Why, it was selected as a proper place to send out a number of needy Englishmen, who received large salaries for nothing. To use the good old House of Commons phrase, it was a famous place for "jobs," and nothing else. He could name a Governor who could prove to his Majesty's ministers the necessity of getting rid of that abuse in the Mauritius more than in any other colony. The honourable gentleman opposite knew the individual to whom he alluded. It was he who opposed the conduct of a man of the name of Theodore Hook, who had robbed the public to the amount of £8 or £9,000. In Canada, he found a large expense was incurred in raising fortifications. He should be glad to know what it cost the Americans to watch the British there. He believed so little did they think about it, that they employed no watchmen at all. In all probability this country was now doing that which would at some future time be profitable to the Americans, for the few troops we had in Canada would not be able to defend it. For his own part he wished Canada to be given up.

Mr. GOULBURN would never consent that any of his Majesty's subjects, whether resident in the Mauritius, in Ireland, or in Canada, should be given up in the manner pointed out by the hon. gent. (hear, hear.) While he could raise his voice in that house, he would enter his protest against such a doctrine. (hear, hear.) With respect to the fortifications erecting in Canada, they were rendered necessary, in consequence of the Americans having built a considerable fortification on their frontier.

Mr. HUSKISSON defended the propriety of employing colonial agents. The hon. gentleman (Mr. Bennet) had asked, how many sheets of paper and what quantity of pens and ink, they were in the habit of using? He had made pretty nearly the same inquiry with respect to the Board of Control. But his conduct, on that occasion, afforded no great encouragement to favour him with the desired statement; for when he had received every information relative to the Board of Control, he was as much convinced as before that the office ought to be abolished. The hon. member for Aberdeen had divided the colonies into two classes—the one, in which the government was carried on by a local legislature—the other, comprising the new colonies, where the duties of government were transacted by a governor, assisted by a council. In Jamaica, and all the West India islands, the former practice prevailed. The funds were levied by the legislature and appropriated by them; but there was not one of those colonies who had not a colonial agent, with a salary, to attend to their interests; and the agent for Jamaica received a much larger sum than was paid to any agent for the new colonies. The business of the new colonies was transacted by a governor, aided by a council; but it did not follow, because the government was thus administered, that they were not to have any person to attend to their local concerns. The right hon. gent. then referred to his former connexion with the island of Ceylon; and contended that the business which he had to transact at that time, proved the necessity of having an intermediate agent between the colony and the mother country. The hon. member for Aberdeen objected to the mode of paying the military and civil servants in our colonial empire. He would, it appeared, apply very severe rules indeed to all the colonial establishments under the dominion of the Crown of England; but, with respect to another settlement, which was placed under the jurisdiction of a different government, he did not think it inconsistent that persons connected with that establishment should for a series of meritorious services, receive ample pensions and allowances. (hear, hear.) The honourable gentleman was himself an example of what might be effected under that establishment. He had retired, certainly not on account of extreme old age, and having secured his own fortune under the establishment alluded to, he now endeavoured to acquire popularity, by advertising on all the other establishments of the empire.

Mr. T. P. COURTEENAY said, he was surprised at the assertion of the hon. member for Shrewsbury (Mr. Bennet), that the office of Agent for the Cape, which he (Mr. Courtenay) held, was an office that had no duty attached to it. That honourable member, in the whole course of his parliamentary life, never made a greater mistake. Precisely

the same description of duties which his right hon. friend (Mr. Huskisson) had performed for Ceylon, he (Mr. Courtenay) now performed for the settlement at the Cape. The duties connected with the agency for Ceylon were undoubtedly more extensive than those which he had to perform, but then his salary was proportionately smaller. Besides conducting the various claims of that colony, he had to attend to its business with Government, and he had likewise to look after its interests in Parliament. He had received letters from the colony, which attributed much of its prosperity to his exertions. (hear, hear.) With respect to his situation at the Board of Control, he certainly had much business to do. The honourable member himself now admitted it, and he was glad he did so, because last year the honourable member declared, "that he had no duty to perform either in that house or elsewhere." No doubt, if he (Mr. Courtenay) got another office (a laugh), the hon. member would find out that the agency of the Cape was not a sinecure, and then his exclamation would be, "Oh! how can this agent of the Cape, with so much business, perform these new duties." (a laugh) It was impossible for any public man's time to be so taken up that he would have no leisure left. He was obliged, in consequence of his situation, to give up that leisure time to active and laborious duties, which he would more willingly devote to dissipation and amusement. (much laughter.)

Mr. T. WILSON argued, that there was an absolute necessity for the employment of agents to take care of the interests of the colonies.

Mr. W. SMITH said, he understood that the assembly of the island of Jamaica had reduced the salary of the agent from 1,000l. to 600l. a year. ("no, no," from the Ministerial benches.) Though, perhaps not reduced in that proportion, it certainly had been lowered. He was informed that there was a possibility of raising the revenue of Ceylon and the Cape beyond the current expenditure; and, in that case, he apprehended there was no doubt but that the surplus would be remitted to this country. As the matter now stood, it could not be questioned that this country was paying the agents of those colonies. In the Old West India Islands the agents were paid by the islands themselves; they were not chargeable on the finances of the country. He hoped that the British constitution would never be extended to Trinidad, till the population was more numerous and more varied. Where there was but a small number of inhabitants, he did not like to see a portion of them playing at legislation. In those cases they had the forms of the constitution without its spirit. There was, he observed, a vote for Sierra Leone. Whatever was expended on that settlement, was not only laid out with a good intention, but had, he believed, solidly and substantially realized the objects which the legislature had in view.

Mr. HUSKISSON said, if the new colonies were placed in the advantageous situation of having local legislatures, they would still find it necessary to have agents in this country to negotiate, on different occasions, with Government. With respect to the island of Jamaica, though he admitted that it was the most important of our West India Colonies, yet it did not contribute near so much to its own expenses as Ceylon did towards its establishments. Ceylon, at present, defrayed the expense of its own troops and of one of the King's regiments; and, as the revenue improved, its efforts would be extended still farther. It supported all its judicial establishments (which were necessarily very extensive, where there was a population of 4,000,000), all its civil establishments, two-thirds of its military establishment, and carried on all its public works and buildings.

Mr. A. GRANT said a few words relative to the sum paid by the island of Jamaica to the agent in this country. He understood him to say, that that individual had 1,000l. a year.

Mr. BROUGHAM said, he understood his honourable friend (Mr. Bennet) had asked, as he had heard so much of this colonial agency, where the office was in which the business was carried on. Assuredly this was natural enough. Those colonial agents appeared to him to be, what were termed "friends at Court"—individuals who stood between the colonies and the Court, here. The note which the Hon. Secretary to the Board of Control had affixed to one of the returns placed this matter in its true light. It was there stated "These instructions relate to commercial regulations, on which it is necessary to solicit his Majesty's Government." They were to solicit his Majesty's Government for whom? For the colonies. No doubt, so far as the colonies were concerned, these gentlemen were not overpaid for the valuable services rendered to them; but the sad reality was, that they did this duty for their constituents in the colonies, at the expense of the people of this country. (hear.) The description given of these gentlemen in this note was, for themselves, rather an unfortunate one—that of being bound as matter of duty "to solicit his Majesty's Government." When he looked to the persons selected, he must say that the colonies had shown great judgment in their choice. One of those agents was the nearest relation of the Secretary of State for the Colonial Department, and another of them was a clerk in that department at a salary of 1,125l. a year. Certainly the colonies could not have selected two persons whose "solicitations" were more likely to be attended to in the proper quarter.

Mr. HUME begged to recommend to the hon. gent. who had accused him of inaccuracy, to look himself at particulars. The hon. gent.,

had said that there were no pension establishments in those colonies, though he had afterwards admitted that Ceylon was an exception. But he would now show that there were pensioners at Malta, the Cape of Good Hope, and the Mauritius. It was also true that the salaries of agents were paid, and were not paid out of the colonial revenues as his learned friend had said. The salaries were paid, first from the colonial revenue, and then we paid back the deficiency which this created. The right hon. gent. (Mr. Huskisson) was thus paid for acting as a flapper to the colonial department.

The Committee divided upon the amendment:

Ayes, 55 | Noes, 82 | Majority, 27, against the amendment.

Mr. ARBUTHNOT next moved a vote of 200,456l. to make good deficiencies of the grant in 1821, which was agreed to.

The next vote was 10,000l. for Tonianese and Corsican emigrants, &c.

Col. DAVIES said, that as the Tonianese suffered in the cause of the Bourbons they ought now to be supported by the French Government; the same was true of French emigrants, among whom the first name was Gen. Dalmatier. In what circumstances had he become an emigrant? In 1793, before the British army took the field, he had gone over to General Mack, solely with the view of restoring the Royal family. The Knights of Malta, too, ought not to be chargeable exclusively on this country. The order of St. John had had lands in Austria and France. Did we now compensate them for the loss of those lands? Were they now married? If they were, how could they be entitled to any allowances as Knights of Malta. He would, however, restrict his amendment to the Tonianese, for whom he would move a reduction of 4,999l.

The CHANCELLOR of the EXCHEQUER said, the Tonianese received this money exclusively for services rendered in the British navy.

Mr. HUME said, that although they had come into our service, we were then serving in the cause of the Bourbons, and the French Government ought now to relieve us from this charge.

Mr. ARBUTHNOT stated, that at the time of the restoration of the Royal family of France, his right honourable friend went over all the emigrants, name by name, with the French Ambassador, and every man who had not been exclusively in the British service was then provided for by the French Government.

The amendment was negatived without a division, and the original motion agreed to.

2,183l. were voted for deficiency in printing the journals in 1821.

5,000l. were voted for the Refuge for the Destitute.

25,000l. were then moved for the Caledonian Asylum.

Mr. HUME complained of this vote, on the ground that when 40,000l. was formerly proposed with a statement that 15,000l. or 20,000l. more would be required, he proposed 60,000l. at once. This sum had been voted now, and 25,000l. more were proposed. If he was rightly informed, three times 25,000l. would yet be required. Mr. Telford did not tell how much would be wanted.

The CHANCELLOR of the EXCHEQUER said this sum would be sufficient to make the canal navigable from sea to sea. Steam packet would already trade between Inverness and Fort Augustus. The canal would be of great service to the coasting trade. He could not answer that parts of the canal might not require further outlay.

Mr. BROUGHAM gave credit to ministers for being as sick as they upon his side were of the Caledonian canal. Even the right hon. gent. must admit that all their extravagant outlay would have been thrown away, if not for the God-send of steam, the application of which was discovered afterwards.

The vote was agreed to.

£15,000 were voted for executing sundry works at Donaghadee-harbour.

£10,000 were voted for Portpatrick-harbour.

£12,000 for Holyhead-harbour.

£1,000 for paying for improvements in Westminster.

£2,700 for the new courts for the commissioners of bankrupts.

Mr. BROUGHAM took that occasion to point out the great mischief occasioned by the distance at which the courts of law were separated, and urged the necessity of providing temporary courts in Westminster-hall. He approved of the plan for removing such deformities from that splendid hall, but he thought every day that the courts being so far separated, caused infinite inconvenience to all parties.

The CHANCELLOR of the EXCHEQUER said he was sensible of the inconvenience.

The house resumed, and the report was ordered to be received on Monday.

THE ALIEN BILL.

Mr. PEEL postponed the receiving of the report to Wednesday next.

The other orders of the day were then disposed of, and the house adjourned at TWO O'CLOCK.

ASIATIC DEPARTMENT.

—153—

John Bull Again.

In his Paper of yesterday, JOHN BULL says, that his pages never did contain an appeal to any particular body for the expulsion of the Journalist from its society. Then what was the meaning of NIGEL, SEMPRONIUS, FRIEND OF BANKES and others? It says also that no attempt at negotiation for the re-admission of JOHN BULL into the Mess from which it was expelled was ever made. Then what was the meaning of NIGEL's Letter to the Dumb Dum Officers, which they did not condescend to answer? JOHN BULL also says that his Subscribers have not considerably diminished; we have the strongest possible reasons to believe that they have. JOHN BULL also says, that since the superintendence of the present Editor, his Paper has never contained a manifestation of any malignant spirit against, or attack on, the private life, connections and prospects of the Editor of the JOURNAL. What then is the meaning of all that has been said for the last two months by the FRIEND TO BANKES, BURCKHARDT, NIGEL, CIVILIS, and others? People may differ certainly as to mere matters of opinion, and some times be deceived as to matters of fact;—but, if the BULL did not contain an appeal to a Body of Officers for our expulsion from their Society: if the BULL was not itself expelled by these same Officers; if the Letter of NIGEL to these Gentlemen was not an attempt at negotiation to get the BULL restored again; if the many persons who have newly ordered the JOURNAL, and stated to us in writing their abandonment of the BULL, did really not do so, and thereby diminish its Subscribers; and lastly if the BULL has not contained any malignant attacks on our private character, connections, and prospects:—then we must have been dreaming for the last two months, and are perhaps still in a dream from which we may one day or other awake!

As a part of this dream, we find, or we imagine the BULL to say (for so we read it in his pages of yesterday), that the "most serious" charge of all those advanced against us by the QUARTERLY REVIEW, remains unanswered. This is not the robbery of Mr. Bankes's notes, nor the fraudulent use of Briggs and Co.'s money—though we should think these heavy charges enough. No—there is one, according to the BULL, far more serious still. It is this, gentle reader! that in candidly supposing there were some portions of the Travels which might possibly offend fastidious tastes, we asked the indulgence of that Christian charity which we are enjoined to practice towards each other, and hoped that the admission of such passages would be regarded rather as the consequence of ignorance as to the exact state of public feeling on those subjects in England, than as arising from a wish to shock any man's prejudices or to offend delicacy.—This is a crime which JOHN BULL, thinks greater than either pilfering another man's notes or squandering another man's money, for he says this is the most serious charge of all that the QUARTERLY REVIEW has brought against us!

We always thought it too silly and contemptible to say a word about it; since we were satisfied that all sensible men must regard what the Review considers a *crime* as really a virtue—"What?" says the Reviewer "decency and piety are then mere matters of local fashion and convention, according to Mr. Buckingham's notions, and merely regulated by the reigning taste."—To be sure they are, we reply.—Can any man who reads his Bible be ignorant of the fact that the plainest descriptions of certain scenes may be and are detailed in the pages of Sacred Writ, and read in Churches, (for wise and pious purposes no doubt,) and that a blush is never raised while the sanctity of the impression which the Sacred Volume and a Sacred Edifice inspires, prevails on the mind of the reader or hearer: though if such scenes and such recitals were told of modern individuals in the society in which we live, and formed the anecdotes of a Drawing Room of Ladies, they would be indecent in the extreme? Can any man who knows any thing of the Greek and Latin Authors, be ignorant that piety and decency tolerated many things in that age which would not pass in our own? Can any man who has read the works of the early Travellers in all Countries, and the early Dramatists in England particularly, be ignorant

of the fact that what piety and decency tolerated in those days, whether in description or action, would be deemed impious and indecent now? And to come to even our own times, can any man, who has either read or travelled, be ignorant, that what is pious at Constantinople is impious at Rome—while what is decent at Rome would be indecent at Bath? and that the exclamations of an Italian lady to her Cicerone, or the conversation of a French lady with her gallant at her toilette, which the husbands of each would be flattered to hear at Naples or Paris, would procure a man the honor of being kicked down stairs in London?

We really imagined that there was no brain so thick and clouded as to require an elucidation of so simple a point as this, that notions of piety and decency are wholly local and conventional, and depend on time and place. But since it appears that there are some men ignorant enough not to understand this, we have thought it worth while to tell them what all the world besides must know. In parts of Scotland, we have heard it is considered wrong to whistle on a Sunday. Even in England it would be thought wrong to dance; but in every Christian city of the continent, the Theatres and Ball-Rooms are thronged up that night more than on any other. At the Royal Academy in London, the finest forms are exhibited naked to students for pictures; in the most elegant houses in England are to be found an abundance of naked statues; and in India we must all be familiar with the nearly naked appearance of both sexes. In their proper place and sphere, neither of these are indecent; but change the locality of each, and they would quickly become so. Let the naked living figures sitting to men at the Academy, for instance, appear on the Stage of Drury Lane, and what is decent and useful in one case would be indecent and disgusting in the other. So also as to action—it is neither impious nor irreligious for any man to sing a convivial song at a dinner table, but change the locality and let such a person commence his song in a pulpit before a full congregation assembled to pray, and it would be quite revolting to every pious mind.

In short, the whole of what is called good breeding and propriety of manners, depends simply on making every act of life suited to time and place: and nothing is more true than that the virtue and vice, as well as the piety and decency of any act depend nearly as much on the circumstances under which such act is performed, as on the nature of the act itself.

So malignant a writer as the Author of the Review on the Travels in Palestine could hardly be expected to admit this; and so stupid a person as JOHN BULL may not even yet comprehend it; but that is his misfortune, and not our fault.

A still more wrong-headed Correspondent of the BUGG, signing himself FABRIUS, says that it is our aim to stop discussion on the literary merits of the Travels in Palestine! Why, in this country that has never been yet entered on. The whole of the discussion has been as to the personal character of its Author.

This FABRIUS indeed says, that in his opinion (which of course deserves great weight) "the Travels of Buckingham in Palestine is of the most bare-faced impositions ever practised on the literary world!" He evidently has not read it, because he says, "it professes to give us learned disquisitions on Greek and Hebrew inscriptions," which is no where attempted throughout the whole work! He says also that "it has attacked the Miracles of Christianity and attempted to shake our faith in its truths!" which is also another proof that he never could have read the Book for himself. What weight can be due to the opinions of such a man we need not stop to enquire; but we may place as some slight balance against it, the following simple facts.

1st.—That the Volume has been favorably reviewed by nearly all the Periodical Works of England, except THE QUARTERLY; and that in three of them, edited by Clergymen of the Christian Religion,—namely, the ELECTRIC REVIEW, the BRITISH REVIEW, and the SCOTTISH EPISCOPAL REVIEW, no such discovery of enmity to Religion is adverted to.—2dly.—That the Reverend Samuel Burder, M. A. one of the most learned and exemplary Divines in England, whose whole life has been passed in the study of Biblical Literature, after having read the whole closely

and attentively for the purpose of extracting from it—pronounced it *the very best Book he had ever perused of the kind*; said that he proposed to draw largely from it for his new edition of Scriptural Illustrations then in the Press; and added that he thought Mr. Buckingham's Work would stand high in the first rank of that kind of Literature. What says the learned FABIUS to this? His testimony must be of great weight to bear down such authorities.

To shew also that Dr. Burder's opinion of the merits of Mr. Buckingham's Book was not a hasty or superficial one, we have the pleasure to state that in the new edition of his Scriptural Illustrations, now in India, there are about twenty long quotations from the Travels in Palestine, which FABIUS may consult for his gratification when he has leisure. Among others we will see Extracts from it in Volume I. at pages 27, 307, 311, 319, 321, 347, 350, and in Vol II. at pages 74, 212, 233, 235, 237, 291, 365, 362, 383, 407, 411.

Leaving FABIUS to digest these with what appetite he may, we must say one word more about the late lamented Bishop, whose injudicious "Friends" have dragged him, like Bankes and Burkhardt, into this endless controversy. The late Bishop, was no doubt a pious and orthodox Christian; we are sure that he was a kind-hearted, benevolent, and extremely charitable man. We have his admission in writing that he had the Book in his possession for some time, read several portions of it, and permitted his name to be used in the Prospectus as approving its general design. And surely, what the ECLECTIC REVIEW, BRITISH REVIEW, and SCOTTISH EPISCOPAL REVIEW had passed without censure, and what the learned and reverend Dr. Burder had praised, Dr. Middleton need not to be ashamed of having approved. It is to be borne in mind that the approbation of all the former, refers to the printed Book, which leaves no room to suspect or suppose any subsequent alterations:—and as to the Bishop, we may add the following striking fact.

The first Copies of the Travels in Palestine that reached India, came to Mr. Thacker, before the Author's were received by him. These were immediately bought up, and one Copy sent to Lord Hastings and one to the late Bishop, as the first on the List of Subscribers. When the Author's Copies arrived, some weeks afterwards, the handsomely-bound Copies, purposely prepared for Lord Hastings and the Bishop, were sent to them; and by the latter, the first or Bookseller's Copy was returned. During this interval of some weeks, it is impossible to suppose that the Bishop did not read, and read attentively, the printed Copy in his possession. It was his duty, for the sake of his own name and reputation, and we doubt not he did it. From each of these high individuals the Author received Letters at the time, acknowledging the receipt of the finely-bound Copies; that from Lord Hastings was highly complimentary to the Author's talents; that from the Bishop thanked the Author for his polite intention, was couched in the language of civility, and did not contain one word of censure! The late Bishop lived long enough, after the Travels in Palestine reached India, to read it minutely, (and he could not have neglected to do this in a case in which his name and approbation had been already brought in question), yet he never once took occasion to convey to the Author or to the Public, any regret at having lent his name and countenance to the Work itself, which, had it been as FABIUS calls it, one of the grossest impositions ever practised on the literary world, and an attack on the truth of Christianity, it was his bounden duty as a Christian Prelate to have done without delay. He did not express his disapprobation, or withdraw his name from among those mentioned in the printed Preface as approving of the Work, in which too, all the pretended infidel passages still remain! What then is the necessary inference?—Certainly this, that Bishop Middleton exercised the Christian charity he preached to others, and regarded the Travels in Palestine as neither inimical to religion, good morals, nor even the reigning and prevailing taste.

So much for the penetration of the injudicious Friends who have contrived to bring his good name into question when their aim was to blacken ours; for if we are right, the Bishop's con-

duct is explicable and honorable; if we are wrong, and the Book is hostile to religion and good morals, the Bishop who read it since it has been published, cannot be exonerated from the charge of at least indifference to the interests of his flock: we must stand or fall together: but we need not fear the latter, while such names as those of Middleton and Burder are associated in the same cause; and we will stake the absence of all censure on the part of the one, and the positive high praise of the other, against the opinions of FABIUS, and all his anonymous associates.

A Question to FABIUS.

"In a civil action, we may remember, a libel must appear to be false, as well as scandalous; for, if the charge be true, the plaintiff has received no private injury, and has no ground to demand a compensation for himself, whatever offence it may be against the public peace; and therefore, upon a civil action, the truth of the accusation may be pleaded in bar of the suit."—SIR WILLIAM BLACKSTONE.

To the Editor of the Journal.

SIR,

FABIUS, in the JOHN BULL of the 14th December, said, "CINCINNATUS will no doubt answer the following short question."

"The JOURNALIST has been charged with having represented himself in 1816 as the Friend of the late MR. BURKHARDT, and as honored and respected by him to the day of his death, while at the same time the JOURNALIST knew MR. BURKHARDT had ceased to respect him.

Will CINCINNATUS declare, in the next JOURNAL, that on his honor the JOURNALIST is NOT GUILTY of this Charge?

In answer to this question, CINCINNATUS declared in the next JOURNAL, that, "On his honor he had seen no proof that the JOURNALIST was guilty of the charge, and that until he should do so he would continue to believe him innocent."

It is now my turn to ask FABIUS a question, which doubtless he will answer:—

The JOURNALIST has been accused by FABIUS and others of having commenced an action in the Supreme Court against the Editor and Proprietors of the JOHN BULL for Libel, amongst other reasons, for the purpose of shunning discussion relative to his character.

Will FABIUS declare, in the next BULL, that on his honor (to use his own mode of interrogation), by the English Law, the Editor and Proprietors of the JOHN BULL will not be at perfect liberty at the trial of the cause, to prove, if they can, the truth of every title of the alleged libellous matter?

If FABIUS cannot answer this otherwise than in the affirmative, I would be glad to know on what grounds FABIUS accuses the JOURNALIST of shunning discussion?

Is it not on the contrary evident, that the JOURNALIST courts discussion, and that too, before the most solemn tribunal in this country?

January 10, 1823.

CINCINNATUS.

Cape News.

Cape Town Gazette, Oct. 19.—The LUNA, which arrived in Table Bay, on Wednesday last, brought a full Cargo of Wheat, amounting to 3,000 Bags, and upwards. The REGALIA, expected to sail shortly after, is said to have a part Cargo of Wheat and Flour, for this place. The reports from the neighbouring Districts, of the state of the Wheat Crop, are favourable;—so that, by the blessing of Providence, there are well grounded hopes that Plenty will re-appear.

The LEANDER, Captain Richardson, bearing the Flag of Rear-Admiral Sir Henry Blackwood, Bart. K. C. B. arrived in Simon's Bay on the 11th instant, from the East Indies. The LEANDER brings intelligence of the Death of Dr. Middleton, late Bishop of Calcutta.

It having been reported to His Excellency the Governor, that Canine Madness had unfortunately made its appearance in the Stellenbosch District, His Excellency has been pleased to give orders, that the matter be referred to the ablest Medical Gentleman, whose report, as to the best method of treatment, in the first instance, will appear in the next Gazette.

Another Dinner Story.

To the Editor of the Journal.

Sir,

The columns of the *BULL IN THE EAST* this morning contain a communication from a certain person (under the signature of *DICKENS*) regarding a party at a mutual Friend's, whose name will be well enough recognized without my naming him, by those for whom this is designed.

DICKENS intimates that at that party "a Gentleman of the very first character in this Society" entertained the Company with the interesting subject of placing the character of Mr. Buckingham in its true light, and that nobody of the whole party ventured to differ from the "Gentleman of very first character," or say a word in defence of the accused behind his back.

I for one beg leave to differ with *DICKENS*, and deny the story in toto, with exception to the fact assigned to the man of first character. I appeal for confirmation to two of those present, whom *DICKENS* must very well know without my publicly naming them, a step I am afraid to take, after all that has been said and written about ruining such who are suspected of making themselves obnoxious to the suspicion of taking part with a man who maligrades his superiors. If I don't mistake, *DICKENS* himself overheard one of those Gentleman hinting aside to me that *SEMpronius*, if not *Nigel*, was actually present in the Company. He knows who I mean.

January 10, 1833.

IGNOTUS.

Government Orders.

THE FOLLOWING ARE GENERAL ORDERS ISSUED TO HIS MAJESTY'S FORCES IN INDIA.

Head-quarters, Calcutta; December 28, 1832.

His Majesty has been pleased to make the following appointment.

Staff.—Lieutenant Colonel Robert Torrens of the 38th Regiment, to be Deputy Adjutant General to the King's Troops serving in the East Indies, vice Lieutenant Colonel Murray who resigns, 26th June 1832.

Major Phillip Stanhope on the Half Pay of the 38th Regiment to be Deputy Quarter Master General to the said Troops, with the rank of Lieutenant Colonel in the Army, vice Lieutenant Colonel Torrens, 26th June 1832.

The undermentioned Officers have received the Most Noble the Commander in Chief's Leave of Absence for the reasons assigned.

Staff.—Brevet Lieutenant Colonel P. Stanhope, Deputy Quarter Master General, date of Embarkation for 1 year to proceed to Europe on his private affairs.

1st Foot.—Brevet Lieutenant Colonel and Captain Maera, date of Embarkation for 2 years, to proceed to Europe on his private affairs.

30th Foot.—Assistant Surgeon Piper, date of Embarkation for 2 years, to proceed to Europe on his private affairs.

41st Foot.—Captain Crawford, date of Embarkation for 2 years to proceed to Europe on his private affairs, for the recovery of his health.

Lieutenant Colonel Torrens will be pleased to assume charge of the Deputy Adjutant General's Office in virtue of his appointment by His Majesty; and Captain Dwyer, 11th Dragoons, will officiate as Deputy Quarter Master General during Lieutenant Colonel Stanhope's absence or until further orders.

The Leave granted by General Order of the 7th instant to Lieutenant Dobbin 69th Regiment, to proceed to Europe for the recovery of his health, is cancelled.

Head-quarters, Calcutta; December 29, 1832.

The Most Noble the Commander in Chief in India is pleased to make the following promotions and appointments until His Majesty's pleasure shall be known.

14th Foot.—Lieutenant T. B. Ainsworth, to be Captain of a Company by purchase, vice Edward Raynsford who retires, 25th December 1832.

Ensign James Watson to be Lieutenant by purchase, vice Ainsworth promoted, ditto.

34th Foot.—Henry Dallas, Gent. to be Ensign without purchase, vice John Stoddard promoted, 27th Novr. 1832.

46th Foot.—Ensign Thos. Carroll from the Half Pay of the 53d Foot to be Ensign without purchase, vice Laurie removed to the 13th Dragoons, 8th October 1832.

Head-quarters, Calcutta; December 29, 1832.

The detail of the 11th Dragoons, arrived from England under the Command of Lieutenant Davis, on the Hon'ble Company's Ship GENERAL HAWKES, is with the sanction of Government to accompany the 16th Lancers by water to Cawnpore, for which the Major General Commanding the Presidency Division will be pleased to make the necessary arrangement with the Department concerned.

From Cawnpore the detail will proceed to Meerut, by land, under instructions which Major General Thomas will be pleased to furnish to Lieutenant Davis, who is appointed to the immediate Command of the same from Calcutta.

Lieutenant Davis will forward thro' the Senior Officer of the Lancers, to the Adjutant General His Majesty's Forces, a Weekly State of the Troops under his Charge agreeably to the prescribed form.

The Most Noble the Commander in Chief in India is pleased to make the following appointment until His Majesty's pleasure shall be known.

14th Foot.—Alexander Donald, Gent. to be Ensign by purchase, vice James Watson promoted, 25th December 1832.

Head-quarters, Calcutta, December 30, 1832.

Lieutenant Job Dickson of the 6th Regiment, will act as Quarter Master to that Corps, vice Garmly, deceased.

The foregoing Appointment to have effect from the 14th ultimo.

Head-quarters, Calcutta, December 31, 1832.

Brevet Major and Captain Fox of the 30th Regiment has leave to proceed to Europe on his Private Affairs, and to be absent on that account for two years from the date of his Embarkation.

Major Onslow, 4th Dragoons, has leave to proceed to Europe on his Private Affairs, and to be absent on that account for one year from the date of his Embarkation.

Lieutenant Colonel the Hon'ble L. Stanhope, 17th Dragoons, has permission to proceed his Corps to England, with leave of absence for one year, or until the arrival in that Country of the 17th Dragoons from India.

The leave granted by General Orders, No. 2726, of the 28th Oct. last, to Lieut. Rue of the 30th Foot to proceed to Europe on his Private Affairs, is cancelled.

By Order of the Most Noble the Commander in Chief.

THOS. McMAHON, Col. A. G.

Head-quarters, Calcutta; December 31, 1832.

At a General Court Martial assembled at Fort William on Thursday the 18th December 1832, Private James Doyle, of His Majesty's 17th Regiment of Foot, was arraigned on the following Charges.

1st. " For having on or about the 5th October 1832, Stabbed a Native Servant of the Regiment.

2d.—" For having on the same day made use of highly threatening, and mutinous language to Captain Hawkins his Superior Officer in the execution of his Duty, in declaring that he would have served him the same, or words to that effect."

Upon which Charges the Court came to the following decision.

Sentence.—" The Court finds Private Jas. Doyle, of His Majesty's 17th Regiment of Foot guilty of both the Charges preferred 'against him, and do Sentence him to receive nine hundred lashes on the bare back in the usual manner at such time and place as to His Excellency the Commander in Chief shall seem fit."

Approved, and Confirmed, (Signed) HASTINGS.

The Corporal Punishment awarded is to be inflicted on the Prisoner under Medical Superintendence, in such proportion and at such time as the Officer Commanding the Regiment may think proper.

The foregoing Order is to be entered in the General Order Book, and read at the head of every Regiment in His Majesty's Service in India.

By Order of the Most Noble the Commander in Chief.

W. M. CROKER, A. A. Gen.

Head-quarters, Calcutta; Jan 4, 1833.

The Detachment of the 34th Foot arrived on the Ship MINERVA, from New South Wales, under the Command of Lieutenant Harvey will, with the sanction of Government, be disembarked as soon as practicable.

Upon the arrival of the Troops off, or near Calcutta, Lieutenant Harvey will forward a Return to the Town Major of Fort William.

The Most Noble the Commander in Chief in India is pleased to make the following Promotions and Appointments until His Majesty's pleasure shall be known.

5th Foot.—Lieutenant John Clerk to be Adjutant, vice Dowdell, deceased, 18th Dec. 1832.

Ensign Barrowes Kelly to be Lieut. without purchase, Dec. 12, 1832.

Neynes, Gent. to be Ensign without purchase, vice Kelly, promoted, ditto.

By Order of the Most Noble the Commander in Chief.

THOS. McMAHON, Col. A. G.

New Poem.

Various occupations, of a less agreeable nature than that of reading New Poems, have prevented our bestowing that attention, which we should otherwise have done, to the appearance of a new Work from the pen of the Author of "Satires in India," and other poetic compositions. The Poem, which is entitled "HEERA, OR THE MAID OF THE DEKHAN," extends to Five Cantos, and forms a Volume of 120 pages. A hasty glance over the opening of the Cantos induces us to think it superior to any of the former productions of the same Author's. We should be glad to excite curiosity toward such praise-worthy efforts as these, and to hold them up as examples worthy of imitation; but we could not safely go into a general analysis of so short a Work without running the risk of allaying that curiosity rather than rousing it. We recommend it to the perusal of our Readers in its entire state; and for the benefit of those to whom it is not so easily accessible, from distance, we may, perhaps, take a future opportunity of presenting a closer view of its contents. It is dedicated to the Marchioness of Hastings; and has the following short explanatory Note prefixed to it:—

"To the Reader.—The following Poem, the subject of which is taken from Scott's translation of "Ferishta's History of the Dekhan," was written in the year 1817.—The circumstances related in the 1st Canto, of the War between Ferose Shaw the Sooltan of the Dekhan, and his powerful vassal Dewul Roy of Beejanugger, which occurred about the close of our Fourteenth Century, differ very slightly from the original; and the romantic little tale of a Virgin of the Dekhan, and her subsequent fortunes, also taken from Ferishta, forms with some alteration the groundwork of these pages: but it is to be remembered, that the incidents are drawn from the writings of a Mussulman historian, and hence the occasional manner in which the Conquerors of the Dekhan and their acts are adverted to.

The Geography and History of India being now sufficiently familiar to the generality of readers, the Author has restrained from swelling this little Volume with any Notes of that nature: and the Indian terms made use of in the course of the Poem, being very few, no Glossary of them has been thought necessary.—Calcutta, Dec. 31, 1822."

As specimens of the free and spirited style of the Author—we confine ourselves to two short and unconnected Extracts, the opening of the First Canto, and the description of Heera's beauty.

CANTO FIRST.

O'er mighty Beejanugger's walls,
The light of morn but idly falls;
And vainly steals to beauteous day,
The blush of yonder eastern ray;
The gold that tints each crested shrine,
Withadden'd lustre seems to shine,
Like gems upon some victim bride,
When dotage withers at her side;
Or like that light which gilds the brow,
Of Hymalaya's age-worn snow,
While all is dark and dread beneath,
A solemn, savage glen of death.
E'en now, from every watchtower's height,
The opening landscape woos the sight;
And gazers thence may haply view
A scene in nature's loveliest hue;
Yet vainly still such prospects rise,
They gladden not the mourner's eyes;
The sentry on the rampart round,
Who slow had paced his solemn round,
And eyed the pale red herald star
Glimmer in eastern skies afar;
Now marks with pain the morning's streak,
And shudders as he hears the shriek,
Or listens to the frantic wail,
That floats upon the rising gale.

For lo! in Beejanugger's streets,
Unsolaced Grief its bosom beats;
And loathing chides th' approach of day,
Which wakens there a cheering ray.
Children arise to mourn their sire,
Borne down amid the battle's ire;
Parents to weep their offspring's fate,
Crushed in the fight's o'erwhelming hate;
While citizens but seek in vain
Their warrior bands, in battle slain,
And call aloud for kinsman,—friend,—
To Paynim valour doomed to bend.

And hark! from 'midst yon palace walls,
A wilder shriek the soul appals:
Louder it echoes on the ear,
To tell of keener sorrow near.
And hear ye not the solemn dirge
Of death which holy brahmins urge,
While females' shriller cries ascend,
And screams the trembling wether rend?
And see, from yonder burnished gate,
In gloomy pomp, in saddest state,
Wind slowly forth a weeping throng,
Who bear a blood-red bier along:
And ever as they slowly file,
And near the stately funeral pile,
Still sing they:—"Woe, bold Dewul Roy!
Where is thy hope—thine only boy?"
* * * * *

Oh, she was fair, as softly fair
As those light clouds which float in air,—
Ere, blushing o'er the eastern sky,
The first young tints of morning lie,
And yet the paler orb of night
Can tinge with purest, loveliest light!
The dark braid parted on her brow,
Gave fairness o'er a brighter glow:
While faintly blushed her virgin cheek:—
But, Hafiz! e'en thy lay were weak,
To hymn the bud-like, coral lip,
Where love might heavenly rapture sip,
For ever breathe in bliss the soul,
And quaff the martyred Paynim's bowl!—

Oft from her large and brilliant eye,
A thousand fancies seemed to fly:
Oft on her features danced a smile,
Blooming in every playful wile,
Till laughing graces mantled gay,
In woman's witching—own array!
Yet then, ev'n then, a thought could steal
Upon her soul, and bid it feel
Some all resistless mystic glow,
To check her spirit's wilder flow,
Then her bright glance was chastened o'er,
Veiled then her eye-lash more and more;
Those orbs of love—which late so bright
Had shone, as noon-tide stream of light,
Were now more like the lotus flower,
When summer dews have gemmed it o'er,
To veil each brighter tint from view,
Yet shrine is still in lovelier hue.
In hour like this, when feelings stole,
When sighs revealed her secret soul,
Celestial then each feature grew,
Till all evinced emotion new:—
Ah, what that soft emotion told,
Dull icy hearts can ne'er unfold:
It pictured not of grovelling earth,
'Twas love—'twas heaven that gave it birth.

After perusing these portions, there are few who will not desire to possess the Work itself; and for those to whom this is not practicable, we must reserve our intention until a future day.

ASIATIC DEPARTMENT.

—157—

Imprisonment of British India.

A View of the Administration of the Most Noble the Marquis of Hastings, in reference to the intellectual and moral Imprisonment of British India.

From the Quarterly Series of the Friend of India, No. VII.—just published.

The possession of distant conquests is almost coeval with the origin of navigation; and though it might be difficult to reconcile the means of obtaining the greater part of these conquests with the rules of morality, it must be admitted, that many of them have essentially contributed to the civilization of the human race; and that in many cases Divine Providence, evidently over-ruled them, has made them subservient to the advancement of its own merciful designs towards barbarous nations.

Without enquiring at all into the origin of the British power in India, though much might be said on this subject, Great Britain having assumed the government of these provinces, and the bulk of the people themselves being unquestionably desirous of the continuance of her sway, the obligations of the Governor to confer the greatest degree of happiness possible on the governed, and of the governed to yield obedience to the Governors, are indisputable. And the inquiry becomes a most important one, In the management of the affairs of these immense territories, what does the Almighty expect from Great Britain?

The enquiry what are the duties of a civil government in reference to the opinions, and moral state of those under its authority, certainly involves, a question of great difficulty. Ought it to confine its operations wholly to the formation and execution of civil and criminal law? or has it any duties to discharge respecting the mental improvement of the poor, who, without its interposition, would be left in a state of barbarism? We suppose that most men would allow of the interposition of government, as far as to secure the utmost possible extension of pure mental improvement, by causing the enlightened and wealthy to give knowledge to the unlettered. Supposing therefore that here we have no opponent we shall proceed to the enquiry, *How far do our Indian fellow-subjects need intellectual cultivation? and how far has the administration of the Marquis of Hastings promoted this great object?*

Though the Hindus are elevated far above the inhabitants of some parts of Africa, yet the dreadful effects of a barbarous superstition are exhibited here in forms which produce a far greater quantity of misery, than fall to the lot of any other part of the world. Is it urged that the Hindus have had learned sages of great power, and that their writings inculcate the most sublime philosophy? It might be proved, did it belong to the subject of this essay, that their philosophical theories are founded upon the grossest mistakes, and are productive of more misery than all the brutishness of the wildest savages; and that some of the most enormous evils under which the Hindus at present groan, have arisen out of the philosophical speculations of their sages. In the Dervishes, for instance, is found, the doctrine that God is the unknown; that he is destitute of perfections; that he is not the object of worship; that he has nothing to do with creatures, nor they with him. The fruit of this theory is, that there is no temple dedicated to the one God among the whole body of Hindus throughout Asia. The abominable doctrine that God is the author of sin, is derived from their philosophy;—the excitement to the burning of widows is found in the *veda*;—the pilgrimages, the mortifications, found at this day among the Hindus, are all referable to their austerities. If their philosophy however has not been the means of their illumination, where shall we look for it? Is it likely to be found in their poetry? in their obscene tales respecting their gods? It is an indisputable fact, that the simple ignorance of the Africans leaves him in the possession of a greater portion of happiness than remains to the Hindus, blinded and degraded, terrified, and impoverished by the priests of idolatry, who, carrying this system of midnight philosophy as a glimmering taper in their hands, only render the surrounding darkness the more horrible.

What then is the mental and moral condition of the Hindus? As soon as his faculties begin to expand, he opens his eyes in a land of gross darkness, and, groping about, sees nothing but idol temples, a people prostrate before dead matter and even before its priests. Every object, every being, every movement around him, serves but to increase his ignorance and confirm his errors. He is not denied what is called in his country education, but it is a mere mechanical process, having scarcely any thing whatever to do with moral or even mental culture. Not one among all the living teachers in his country, not a book, nor a leaf, nor even a battlefield, to inculcate the slightest element of sound moral knowledge. Not a boy bigger than himself who can become to him even the most imperfect medium of light; and his father and mother are enveloped in the common darkness, in the same total destitution of all useful knowledge. Conversation, which, in countries possessing real science and moral illumination, is a happy means of extending knowledge, in India only increases the darkness, infusing into the minds

of the rising generation those errors upon which the whole system of their philosophy and superstition is founded.

The state of the female sex is still worse: for them not a school exists from one border of their country to the other.* The idea of teaching them even the rudiments of common knowledge, has not only no existence, it is deprecated as preposterous with no sight but evil to domestic society: the female who should dare to seek after knowledge is threatened with, and is supposed to bring upon herself, the wrath of the gods. In this state of gross ignorance the whole population rise into life. What then is that living world into which the Hindus, male and female, enter when arrived at years of maturity?

The man:—All his early impressions and associations are connected with accounts which he has heard of shastras and a religion claiming an unfathomable antiquity;—with sages more powerful than their gods;—with hermits and jyotis practising inconceivable austerities;—with thousands devoting themselves to the flames in the delusive expectation of a happiness promised in their *ashramas*;—with splendid shows, and a perpetual recurrence of festivals;—with the idiotic conversation and enthusiasm of the country, all of which, added to the power of the rich and of the sacred classes, forms a *couplence* by which he is carried along as a feather borne on the strongest tide in its progress up the lower parts of the Ganges, and to resist which he has no power either mental or moral.

Behold this poor Hindoo prostrate before a monkey, as the representative of the true and living God. Does this animal convey to his mind any idea of his Being to whom he is responsible for all his actions, and the knowledge of whom is essential to all his hopes and comforts? See him in prostrate adoration before a log of wood, a lump of earth, before a god of infamous life and his concubine,—before a female trampling on her husband,—before a fury in the image of Durga,—before a serpent,—before the personifications of lust and cruelty. Is not the Hindoo then the object of pity, sunk as he is in the grossest and most degrading ignorance to which the human being can possibly be reduced? Is there a step lower than this in the scale of moral and mental degradation?

View him again in the temple listening to the most indecent hymns in praise of his gods, and witnessing the introduction of lewd females into these acts of worship, while other transactions are going forward under the hollowed name of worship which are too gross and indecent to be described; and yet all this passes in his dark and vitiated mind for a service acceptable to the Deity.——Regard him as prostrates on the earth at the foot of an unfeeling fellow-creature whom he worships as a god, the dust of whose feet he wipes off with his hand and rubs on his forehead, though this religious guide in return gives him nothing but a mere sentence to repeat,—and drains him annually of all he can spare. The Sacred Scriptures direct those who read them to examining the pretensions of religious teachers; but the poor infatuated Hindoo approaches his teachers as a god, and licks the dust of his feet! Christians are exhorted by the Founder of their religion “to search the scriptures;” but the poor, blind Hindoo worships his book, and if asked its meaning, says, “Ah! Sir, who can understand *Bangskrit*!” How deplorable must be the state of that people thus deceived, and who enjoy no opportunities for religious instruction, in their education, in the perusal of books, in their public assemblies, or in any form or shape whatever.

Instead of forming right ideas of the phenomena of nature, the poor Hindoo bows to these phenomena as so many distinct forms of the Deity, and leaves the investigation of their nature to the profane and impure. He no more enquires into the secrets of nature than the domestic animal reared in the adjoining hovel; and to both him and them, their existence is nearly the same.

To a poor man what consolation there is in the doctrine of Divine Providence as revealed in the holy Scriptures! But the ignorance of the poor Hindoo leads him to suppose that he is in the hands of gods, whom he can neither love nor trust; and in the hour of extremity he calls upon each as memory supplies their names. View him sitting on one spot, and repeating through the day the name of the guardian deity, as the means of procuring his favor, while he lives in the utter neglect of all that might tend to regulate his inward tempers, and his outward conduct. View him again making his way to some sacred spot, to worship some idol, or bathe in some river, under the hope that by changing his place, he shall lose his guilt. And in this ignorant pursuit, are sacrificed family, health, comforts, and not unfrequently life itself. Who can see the multitudes perishing on the road and insight of these temples and rivers, on a delusion so gross, without being moved with compassion? Here the crowd, conscious that some purification from the stain of transgression is necessary, descends into a river, as though its streams could purify the mind! How ignorant must these Hindoos be of the nature of moral evil, as the transgression of the Divine law.

* This of course refers to their schools among themselves. We rejoice that British beneficence has now opened schools for Females; and that these are progressively increasing.

If we turn to the state of Female society, the dreadful effects of the want of knowledge are if possible still more conspicuous. So little do the Hindoos know of the worth of a cultivated female mind, that at the birth of a daughter the news is received with a frown; she comes into the world undesired; and in numerous instances, among some tribes of Hindoos, she is murdered as soon as she is recognised as a daughter. When marriageable, fifty, sixty, or seventy of them are in some cases, given to one man.

If she be permitted to exist, all culture of the mind is denied; and she is merely allowed to occupy a place among the domestic animals in the family. She has no choice in her marriage, and is doomed to hear many a hard speech from her parents when the expenses of her betrothment are only contemplated. If her husband, or rather the boy to whom she has been betrothed, (betrothed without her consent,) dies, she becomes a widow, and is doomed to remain such to the hour of her death, though she has never seen him except on the day of her marriage. Among one class of brahmans, if the boy die even after the written engagement has been made though the marriage has not been celebrated, the girl remains a widow. When married, she is a mere slave in her family. She lives to serve; she waits on her husband as her master; she stands while he eats, and eats what he leaves. She is not permitted to sit down or even to stay in the presence of company, nor to be in any sense the companion of her husband. No wonder that in such a state of ignorance and slavery women are the victims of a vile and murderous superstition. No wonder that to rid themselves of an existence containing so few comforts, to deliver themselves from such slavery, they plunge into the flames of the funeral pile, or into the graves dug for these victims of ignorance by their own relatives and children. No wonder that such an ignorant deluded creature should, in fulfilment of a vow, offer her child to the river goddess, and cast it into the unstretched jaws of alligators. No wonder that females in such a state of ignorance, the victims of a sanguinary superstition, should immolate themselves, ten in a morning, by casting themselves into the river at the junction of the Jumna and Ganges at Allahabad. But in such a state of society what a loss is sustained by the husband united to such a partner,—by children having such a mother,—by society at large, from every social company of which women are wholly excluded. What a dreadful idea, that in India fifty millions of females should be found scarcely raised in mental culture above the domestic animals around them!

No human records with which we are acquainted present such awful proofs of the dreadful effects of ignorance, as appear in the burning alive of the Hindoo widow, by the instrumentality of her first-born son! Where are men's ideas of right and wrong, when they actually place this act of horrible matricide among the virtues? What must be the intellectual and moral condition of a country in which possibly thousands of Widows are burnt alive every year in open day, and this done amidst the plaudits of surrounding spectators. The number buried alive may not be great, but every moral feeling must have been annihilated, before deeds like these could be viewed with complacency. The smallest ray of moral light, when it shall have been cordially received by the men of influence among the Hindoos, will be found sufficient to dispel the darkness that conceals the horrible enormity of these transactions. This is equally applicable to the immolations under the wheels of the car of Jugunnat'h;—to the barbarous exhibitions at the swinging festival, when men are raised up in the air by hooks thrust through the ligaments of the back, and in this degraded state swung round for considerable time;—to the burning alive or the drowning of persons labouring under incurable distempers?—to men's cutting out their own tongues, and offering them to some deity, and other cruel observances. That must be gross darkness indeed, which can cover from men the turpitude and infamy of deeds like these.

It may possibly be urged that even in Christian countries the lower orders are guilty of great crimes. But the actions we have now been noticing belong not to the lower orders merely; they involve the whole body of the Hindoos: they are national. Yet, to meet this objection more fully, let us look at the state of the religious orders, at men who should make moral improvement their study as well as their profession. —These if possible are more stupid and brutal than the secular classes; the very appearance of some of them is so disgusting,* that they are a common nuisance. One man may be seen, or at least a portion of matter in human shape, lying on a bed of spikes as an act of religious merit—another has made a vow of perpetual silence, and he remains dumb in the presence of a thousand wonders in creation, while surrounded with fellow-creatures who need instruction, and advice, and consolation—the third has raised his arm, and has kept it in that posture till all the blood has left it and it has become stiff, and withered, and useless—another, using his body as a yard-wand, approaches some idol placed in a temple at a vast distance from the place whence he starts, making thousands and thousands of prostrations to the god on the bare earth, and measur-

* Let the reader contrast this with the religious state and character of the lower orders in England; say among the most zealous Methodists after all that has been said against them; and then ask, What has made the difference?

ing the whole way by the lengths of his body—another hangs with his head downwards, and is swung over a slow fire; while another surrounds himself with three fires, and sits exposed to a fourth by presenting his naked head to the blazing meridian sun. In all these and other brutal forms, the Hindoo religious classes evince how greatly the whole country stands in need of mental and moral elevation. They profess to remember a secular state, while they evincent the greatest state of filthiness, sensuality, pride and covetousness; many of them live in habits of impurity, and numerous hordes are public plunderers.

Having seen the living Hindoo suff'ring under the want of better instruction, let us view him in his dying moments; and there the same proofs of dreadful ignorance are every day exhibited, only they become more affecting as they belong to the case of a dying man. When his sickness becomes alarming, he is hurried, be it by day or by night, from his home to the river side, as the right of the river, it is supposed, will promote his benefit, in giving on his final account. The state of the heart and the whole course of his life are of little value; the dependence of the dying man and of the family, is upon the river, and upon the ceremonies to be performed there. Hence he is torn from home, and from all the conveniences which might be found there for a sick and dying person, and in the open air exposed to the burning sun by day and the cold damps by night, till he expire. All the ceremonies performed display the same mental darkness,—the entire want of information on this grand point, Wherein consists our true preparation for death?

It be die at a distance from the Ganges, some of his ashes, or a bone is preserved and cast into the stream, to purify his soul? After his death, offerings are presented to the deceased and for him, which are supposed to avail for his good in the state to which he is gone; and the fullest reliance is placed on an offering presented in his behalf at Gaya. Here then, in the wretched provision made by the benighted Hindoos for a future state, we have the same melancholy exhibition as throughout the rest of this picture: "My people are destroyed for lack of knowledge." The dying man himself has no hope of happiness;—and how should he, when he has been taught that no man with bodily wants to meet, can expect happiness after death; that the only way to beatitude is connected with the annihilation of the passions and even the innocent feelings of nature; and that his transmigration will never terminate till he have entirely freed himself from the influence of all present things. Thus, while he is living, we see the Hindoo prostrate before dead matter, or the personifications of sin, and when dying we hear from his lips nothing but the sounds of despair.

Considering therefore the vast population of British India, comprising at least Sixty Millions of souls, the dreadful state of ignorance in which these millions are found, destitute of all mental cultivation, the female part proscribed all knowledge even to the use of letters, and even the highest orders utterly destitute of the elements of genuine science as well as of the first sound principles of natural and revealed religion;—the dreadful demoralization produced by the influence of the degrading and impure system of idolatry;—the dreadful extent of the miseries brought upon them by this idolatry, and the heinous nature of this idolatry itself in the sight of the Almighty;—surely it is the duty of Britain, after being intrusted by Providence with the welfare of this people, to aim by the wise and prudent diffusion of knowledge, at the removal of evils which have no parallel in any other spot under the whole heavens. If according to official returns, nearly a thousand widows are burnt or buried alive every year, in the Presidency of Bengal alone, it surely is not too much to say, that several thousand widows must be burnt alive in British India every year. Add then to these the multitudes who annually perish on the road to the numerous resorts for pilgrims scattered all over Hindosthan, and by starvation and disease in the immediate neighbourhood of these Acelomas—those who die by premature deaths on the banks of the Ganges, and all who drown themselves in the rivers esteemed sacred—all the children put to death by the Rajpoots—and all who perish for the want of medical skill; and such an accumulation of crime and death will scarcely be found perhaps in all the earth beside, as is crowded upon the sight in this one country—and this is, "British India!"

Surely for such a mass of misery we are called upon to find some remedy, by every thing human and divine. But wherein is this remedy to be found? In the diffusion of knowledge. Enlighten the Hindoos, and these enormities must disappear, these fires must be extinguished, these pilgrimages must cease, this faith in a river must expire, and all the immolations on its banks must be abandoned. Enlighten the Hindoos, and these mothers will no longer smother or strangle the new-born infant; the child destined to become the cultivated mother, and the sweetest solace of life, will be too precious to be thus murdered and driven back into eternity; these sons will no longer be able to set fire to the pile which is to consume the living mother, writhing and quivering in the flames. And what is the amount of the population in these deplorable circumstances, and under the immediate power of the remote influence of Britain? It cannot comprehend less than One Hundred Millions of minds, a Hundred Millions of immortal beings!

Men cultivate the earth, which in some countries is bare up and in others frozen to a stone during nearly half the year, and bestow upon it incredible labour and expense, in hope of obtaining its fruits; and shall deathless minds meet with less regard, with less cultivation, than the sordid dirt beneath our feet? Shall the harvest which springs from mental cultivation be less precious, than that which springs from the cultivation of the soil? And yet India has remained a moral desert, for the last three thousand years; and men have sprung up, and toiled, and died, like the cattle of their fields, staring at the heavens, and walking on the earth, without feeling the least moral interest in the splendor of the one, or the various predictions of the other. But all these millions are now placed under the fostering care of Britain, the land of science, of numerous charities, of Bibles,—the land giving birth to Howard, to Clarkson, to Wilberforce, and to a whole host of Christian Philanthropists. And shall not these minds be cultivated, these widows and infants be saved? Shall not darkness be dispelled in the land wherein Britons have found wealth, honour, and innumerable comforts—in the country which has been called, the brightest jewel in the British crown!

For our encouragement in this great work of illuminating India, let us remember, that the people to be improved are not savages, respecting whom a misanthrope might pretend, that they were incapable of improvement. The Hindoo youth are of quick capacity, gentle, and capable of receiving the finest impressions. A few rays of truth thrown into the mind, will put all the powers of the soul into motion and begin the work of moral emancipation. A system of education embracing elements moral and scientific, will present to the mind new and astonishing objects, and create an inextinguishable thirst for more extensive knowledge.

Nor must it be forgotten that education thus introduced by the British, will become a most powerful means of attaching this vast population to our own country in a manner which can be secured by no other process. How important then to ourselves as well as to the present race of Hindoo youth and to all posterity, is the gift of intellectual and moral light to the youth and children of six millions of people and their descendants to the end of time! The idea thus presented of removing, by the communication of light, this huge mass of darkness and inconceivable misery;—of illuminating all Hindoo-tan, —and from thence of spreading light through the Burman empire, Siam, China, Tibet, and Tartary, as well as through all the islands of the India ocean; is in itself so grand and elevating, that the mind is lost in the contemplation of the boundless good which may thus be conferred on Eastern Asia, by the benevolent interposition of Great Britain.

These remarks have swelled beyond due bounds; and it is high time that we come to the enquiry, *How far has the Administration of the Marquess of Hastings contributed to the moral and intellectual improvement of British India?*

Leaving then all the transactions of the cabinet and the field under the administration of this illustrious Nobleman, to pens far better qualified to do them justice, we shall confine ourselves to the subject which best becomes the "Friend of India," its aspect on the improvement of the intellectual and moral condition of our Indian fellow-subjects. The predecessors of Lord Hastings we are perhaps placed in circumstances in which they could not direct a marked attention to this vast object. The time was not so fully come—the experience since acquired did not then exist, and the prejudices of many then appeared to be immovable. It was reserved for the benevolent rule of Lord Hastings to remove these impediments both at home and in India. The weight of his name, the prudence of his measures in the other parts of his administration, his marked condescension to those natives who had access to his person, his wisdom in drawing around him those who most interested themselves in the improvement of India, and in guiding and directing their efforts, enable him to conquer difficulties which were once deemed insuperable, and gave him a right to say, in his parting address to the inhabitants of Calcutta, that "the offer of education made to the people of this country, had been heartily and unhesitatingly accepted."

It becomes us however to take a more distinct view of what has been attempted under his Lordship's administration towards ameliorating the mental condition of our Asiatic fellow-subjects, prefacing our remarks with this general observation, that the aid afforded by his Lordship to this object, is not to be measured so much by the efforts actually made on the part of government itself, as by the cordial satisfaction constantly manifested respecting every attempt of this nature. There has indeed been exhibited in his Lordship's administration from its commencement to its close, a generosity and liberality of feelings on these subjects, which has gained the confidence and excited the admiration of all good men. It was this nobleness of feeling which led his Lordship to aim at the good of India, not merely as a British Governor, but as a philanthropist; and it is a fact worthy of notice, that almost every invitation now in existence among us for the mental improvement of the Native, has commenced under his Lordship's administration; and in future years the educated sons of India will probably say, "It was the

Marquess of Hastings, who, esteeming us thinking beings, under Providence caused to dawn upon us the era of mental light and happiness."

In his addresses to the College students, his Lordship manifested almost constant anxiety, that these young men should cultivate right sentiments towards the natives, and seek their advancement in knowledge and moral culture, giving it as his decided opinion, that much might and ought be done to improve the condition of our native subjects by the Europeans placed over them and stationed all over India. From such an authority this recommendation must have been productive of very great good. It removed all fears on this delicate subject, from the minds of the young men, the future hope of British India, and necessarily turned the attention of the whole body to this vast object. Thus for the first time the cause of Christian benevolence in India, received a sanction from an authority which all revered, and which every one felt it safe to follow.

It was quite a liberal act of his Lordship's government to promote rather than discountenance the establishment of a Native Press, and thus to encourage the diffusion of information all over India. How necessary a step this was for the amelioration of the condition of the natives, no person can be ignorant who has traced the effects of the press in other countries. The natives themselves soon availed themselves of this privilege: no less than four Weekly Papers in the native languages have now been established; and there are hopes that these efforts will contribute essentially to arouse the native mind from its long lethargy of death, and while it excites them to enquire what is going forward in a world of which Asia forms so important a portion, urge them to ascertain their own situation respecting that eternal world, which really communicates all the vigor and interest now so visible in Europeans. Nor has this liberty been abused by them in the least degree, yet these vehicles of intelligence have begun to be called for from the very extremities of British India, and the talents of the natives themselves have not unfrequently been exerted in the production of essays that would have done credit to our own countrymen.

A very brief enumeration of the various Societies which have been instituted, and the various steps taken with a view to the mental improvement of India, is all that our limits will further allow, and indeed all that is necessary to the elucidation of our subject. As an experiment, in the year 1814, his Lordship passed a vote in Council for the application of Six Hundred Rupees monthly to the erection of schools around Chinsurah, under the care of the late Rev. Mr. May; and at present these schools are in a flourishing condition, and promise much good in the illumination of the rising generation in that neighbourhood.

In the year 1815, was founded the Hindoo College, the wealthy natives themselves, stimulated by the countenance and attracted by the example of his Lordship coming forward as the supporters of this important institution. The direction of this College, is we believe, principally confined to the natives; and it is a most cheering sight to witness the substantial proofs afforded in this College of the zeal with which the great object of mental improvement is met and welcomed by the higher classes of our native fellow-subjects.

In 1816 the Serampore Institution for Native Schools was formed and the "Hints," which have led to the general patronage of Native Schools throughout this Presidency, were published. And in 1818, the schools in Rajpoot'han, superintended by the third son of Dr. Carey, were established at the express request of his Lordship who generously devoted to this object—in the first instance, the sum of Six Thousand Rupees. The formation of these Schools is another proof, that his Lordship has sought the good of India in immediate connection with its intellectual and moral improvement, and with the distinct recognition of the principle that we can never hope to discharge our duty as governors of British India, but by meeting its moral wants and promoting its mental elevation. About a year ago his Lordship in Council directed that the whole expense of these Schools in Rajpoot'han should in future be defrayed by Government. And thus, after conquering the Pindaree states, his Lordship immediately sought their civilization and happiness, through the medium of schools.

The School-Book Society established in the year 1817, was in reality originated by the illustrious consort of the Marquess, before her first return to England; and how happy a means this has become of diffusing knowledge among the natives in the capital and elsewhere, a reference to the works this Society has published, will fully demonstrate. Her Ladyship no doubt saw, that schools would be established, in vain unless suitable elementary works could be obtained for them; and her judgment herein deserves the highest commendation; for the country itself could not supply a single native child's book, although schools in almost every considerable village had existed for ages. Strange as it may seem, reading scarcely made any part of the exercises of these schools; and it is very difficult even now to obtain boys in the native schools established by Europeans, till they can read well; in such small estimation is this part of knowledge held. His Lordship in Council has recently granted permanent aid to this valuable Society to the amount of 6000 rupees annually.

—At an early period also, the Marchioness established a school on the borders of the park at Barrackpore, for the use of which she herself prepared and sent to press several elementary works.

No sooner had the Serampore Missionaries in 1818, announced their intention of erecting a College for the diffusion of science throughout India, than his Lordship condescended to encourage their efforts by becoming the Patron of the Institution. And indeed on all occasions has he bestowed the kindest attention on whatever these Missionaries have brought before him connected with the mental improvement of India. By a late order of his lordship in council, government have encouraged the establishment of a European Medical Professor in Serampore College, with a view to the spread of knowledge in this important science throughout the country, and have generously engaged to assist in meeting the permanent expence when it shall be effected.

In the year 1818, under the same presiding stimulus, the School Society in Calcutta was formed, in the direction of which also the rich natives have taken a very interesting share.

The College originated soon after by the late Bishop of Calcutta, Dr. Middleton, received his Lordship's countenance as an additional auxiliary in the illumination of the East; and in 1819, his Lordship in Council was pleased to present the premises on which Bishop's College was soon after begun, as a donation to that Institution.

Nor has the Marquess confined his patronage to the efforts of Europeans; he has encouraged various Institutions which are wholly in the hands of the Natives. The government grants to the native Colleges in Calcutta, Benares, and Nudcaya, have we understand been increased; and it has been for some time in contemplation to found a College for Sanskrit at Calcutta, under the immediate patronage of Government. A Medical Institution also has been recently formed at Calcutta by his Lordship, for the instruction of native students intended to be attached to the army; and of course with a view to the improvement of medical science among the natives.

Moved by the same concern for the improvement of the natives, his Lordship has patronized the Agricultural Society from its very beginning. A Thousand Rupees annually have been granted by his Lordship in Council, towards meeting its expenses; and since, his Lordship has added the Experimental Farm formed near Barrackpore, to the Honourable Company's Botanic Garden, with an immediate view to its assisting the Agricultural Society in their experiments and pursuits.

Thus unrewarded has his Lordship pursued this grand object, the mental improvement of British India; and what a satisfaction it must have been to him to have been able to intimate, in his parting address to the inhabitants of Calcutta that his efforts to gain the confidence of the natives, and to allure them to be co-workers with us in the moral regeneration of their country, had succeeded in so great a degree:—"Your advertance to the demeanor in which I have observed and indicated in my intercourse with the Natives, is peculiarly gratifying to me. The effects, if I do not deceive myself, are very visible in the reliance of all classes of them in the fairness of our purposes, and in the frankness with which they meet any encouraging advances from us. The observation applies itself more particularly to the readiness with which they send their children to the Schools established by us. This is so distinct that I now look with confidence to the rapid diffusion of moral instruction throughout a population in which it has for a long period been lamentably wanting. The known talents and disposition of my destined Successor, ensure persevering attention to this most interesting point.

In another age or two what will an enlightened Hindoo say? Even now, in the very infancy of our operations, we see the barriers of prejudice thrown down which kept the European and the Hindoo at an unapproachable distance; a system of illumination formed and in full operation, aided by the presence and exertions of the very natives whose powerful influence we feared would have been fatal to our plans; thousands and thousands of youths and children, crowding to our schools, and taught by their own countrymen; native presses in operation; even female schools succeeding beyond all calculation, and the prejudices against them subsiding in the most astonishing manner; books rapidly circulating; colleges erected, and students preparing to spread science throughout those countries.

Thus then the grand experiment has been tried, and has succeeded and his Lordship returns to his native country as the most unexceptionable of all witnesses, that the amelioration of the mental condition of our Indian fellow subjects, is perfectly safe, and by no means an object beyond our reach. And he returns too with the sublime satisfaction in his own mind, that the light which he has kindled, will shine till all Eastern Asia shall partake of its effulgence, and shall co-operate with the sons of Europe in carrying mental and moral cultivation to the utmost of that perfection of which man in his present state is capable.

Ships Advertised for Different Ports.

| Ships' Names. | Commanders. | Where Bound. | Probable time of Sailing. |
|-------------------------|-----------------------|---|---------------------------|
| Sir Edward Paget, | John Greary, | London, | All February |
| David Scott, | G. Bouyon, | Cape & London, | 18th February |
| City of Edinburgh, | — Wiseman, | London, | 10th February |
| Woodford, | Alfred Chapman, | London, | Early in Feb. |
| Prince of Orange, | — Moncrieff, | London, | Early in Feb. |
| Hibernia, | — Mackintosh, | London, | 15th January |
| Providence, | Samuel Owen, | Madras & London | All January |
| Lady Raffles, | James Coxwell, | St. Helena & London, | In a few days |
| Larkins, | H. R. Wilkinton, | London, | 15th January |
| Catherine, | W. Kooz, | London, | 15th January |
| Phoenix, | J. Weatherhead, | London, | In a few days |
| La Belle Alliance, | W. Rolfe, | London, | In a few days |
| John Taylor, | — Atkinson, | Liverpool, | In a day or two |
| Tiger, | Robert Brash, | C. of G. Hope, Bourdane via Bourdon, | 15th January |
| Bourbon, | — Bennet, | Bourbon, | 15th January |
| La Seine, | — Houssart, | Cape & Havre de Grace, | In a few days |
| Alexander, | — Dickie, | For the Eastward | In a day or two |

Shipping Arrivals.

CALCUTTA.

| Date | Names of Vessels | Flags | Commanders | From Whence Left |
|---------|------------------|---------|---------------|------------------|
| Jan. 10 | John Shore | British | J. Sutherland | Penang Dec. 10 |
| 10 | Krimbang Jattie | Dutch | C. M. Leair | Penang Dec. 9 |

BOMBAY.

| Date | Names of Vessels | Flags | Commanders | From Whence Left |
|---------|------------------|---------|-----------------|------------------|
| Dec. 14 | Phoenix | British | A. Weynton | London July 6 |
| 18 | Charlotte | British | J. Stevenson | China Sept. 18 |
| 18 | Anas Felix | Portg. | L. M. Fernandes | Gao |
| 20 | Good Success | British | W. T. Poynter | China Sept. 10 |
| 20 | Cornwallis | British | R. Graham | China Sept. 18 |

Shipping Departures.

BOMBAY.

| Date | Names of Vessels | Flags | Commanders | Destination |
|---------|------------------|---------|-----------------|-------------|
| Dec. 14 | Flock | Turkish | Nacoda Namash | Jidda |
| 14 | Reliance | British | M. Pike | Madras |
| 16 | Sullamity | British | N. Pawoo | Mangalore |
| 20 | Anas Felix | Portg. | L. M. Fernandes | Damascus |

Stations of Vessels in the River.

CALCUTTA, JANUARY 9, 1823.

At Diamond Harbour.—H. C. S. COLDSTREAM, —ROZALIA, (P.) outward-bound, remains, —EARL KELLIE, BORDELAIN, (F.) and FUTTA MOBARRUK, passed down.

Kedgerie.—GENERAL LECOR, (P.) outward-bound, remains.

New Anchorage.—H. C. Ships GENERAL HEWETT, THAMES, WARREN HASTINGS, MARCHIONESS OF ELY, WINCHESTER, and DORSETSHIRE.

Sanger.—MOIRA, goes to Sea, —His Majesty's Frigate GLASGOW, and WILLIAM MOKEY, supposed sailed out.

Passengers.

Passengers per JOHN SHORE, from Penang to Calcutta.—Mr. C. Grigg, and Mr. J. Taylor, of the Country Service.

Passengers per PHOENIX, from London to Bombay.—Mr. Charles Fair, from London; Mrs. Baber, and Master Baber, Ensign Muttlebury, of His Majesty's 69th Regiment, from Malabar Coast.

Passenger per CHARLOTTE, from China to Bombay.—Lieutenant Humphrey, from Cannanore.

Passenger per RELIANCE, from Bombay for Madras.—Alexander Bell, Esq. W. Shifford, Esq. Lieut. O. Neil, Mrs. Hunter and 2 Children

Marriage.

At Barrackpore, on the 9th instant, by the Reverend J. R. Henderson, a M. at the house of Captain JAMES READ, 12th Regiment of Native Infantry, Lieutenant W. H. TERRAINEAU, District Barrack Master, 18th Division, to Miss SOPHIA CHRISTIANA.